A/52/49 (Vol. I)

United Nations

Resolutions
and
Decisions

adopted by the General Assembly
during its fifty-second session

Volume I
Resolutions
16 September - 22 December 1997

General Assembly
Official Records • Fifty-second Session
Supplement No. 49 (A/52/49)

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16 September - 22 December 1997

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United Nations • New York, 1998

NOTE

The resolutions and decisions of the General Assembly are identified as follows:

Regular sessions

Until the thirtieth regular session, the resolutions of the General Assembly were identified by an arabic numeral followed by a roman numeral in parentheses indicating the session (for example: resolution 3363 (XXX)). When several resolutions were adopted under the same number, each of them was identified by a capital letter placed between the two numerals (for example: resolution 3367 A (XXX), resolutions 3411 A and B (XXX), resolutions 3419 A to D (XXX)). The decisions were not numbered.

Since the thirty-first session, as part of the new system adopted for symbols of General Assembly documents, resolutions and decisions have been identified by an arabic numeral, indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution 31/1, decision 31/301). When several resolutions or decisions were adopted under the same number, each of them has been identified by a capital letter placed after the two numerals (for example: resolution 31/16 A, resolutions 31/6 A and B, decisions 31/406 A to E).

Special sessions

Until the seventh special session, the resolutions of the General Assembly were identified by an arabic numeral followed, in parentheses, by the letter "S" and a roman numeral indicating the session (for example: resolution 3362 (S-VII)). The decisions were not numbered.

Since the eighth special session, resolutions and decisions have been identified by the letter "S" and an arabic numeral indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution S-8/1, decision S-8/11).

Emergency special sessions

Until the fifth emergency special session, the resolutions of the General Assembly were identified by an arabic numeral followed, in parentheses, by the letters "ES" and a roman numeral indicating the session (for example: resolution 2252 (ES-V)). The decisions were not numbered.

Since the sixth emergency special session, resolutions and decisions have been identified by the letters "ES" and an arabic numeral indicating the session, followed by an oblique stroke and another arabic numeral (for example: resolution ES-6/1, decision ES-6/11).

In each of the series described above, the numbering follows the order of adoption.

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The present volume contains the resolutions adopted by the General Assembly from 16 September to 22 December 1997. Decisions adopted by the Assembly during this period appear in volume II. Resolutions and decisions adopted subsequently during the fifty-second session will be published in volume III.

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52/2. Cooperation between the United Nations and the Agency for Cultural and Technical Cooperation

The General Assembly,

Recalling its resolution 33/18 of 10 November 1978, by which it granted observer status to the Agency for Cultural and Technical Cooperation,

Recalling also its resolution 50/3 of 16 October 1995, by which it noted the complementarity of the activities of the Agency for Cultural and Technical Cooperation and the United Nations and invited the Secretary-General of the United Nations, in consultation with the Secretary-General of the Agency for Cultural and Technical Cooperation, to promote cooperation between the two organizations,

Recalling further the Articles of the Charter of the United Nations which encourage the promotion of the purposes and principles of the United Nations through regional cooperation,

Noting the desire of the two organizations to consolidate, develop and tighten the ties that exist between them in the political, economic, social and cultural fields,

Having considered the report of the Secretary-General on cooperation between the United Nations and the Agency for Cultural and Technical Cooperation,[1]

Noting with satisfaction the encouraging progress achieved in cooperation between the United Nations, its specialized agencies and other United Nations bodies and programmes and the Agency for Cultural and Technical Cooperation,

Convinced that strengthening cooperation between the United Nations and the Agency for Cultural and Technical Cooperation is consistent with the purposes and principles of the United Nations,

Considering that the Agency for Cultural and Technical Cooperation brings together a considerable number of States Members of the United Nations, among which it promotes multilateral cooperation in areas of interest to the United Nations,

1. *Takes note with satisfaction* of the report of the Secretary-General on cooperation between the United Nations and the Agency for Cultural and Technical Cooperation;[1]

2. *Commends* the Agency for Cultural and Technical Cooperation for its continuing efforts to encourage multilateral cooperation among countries that use French as a common language, particularly in the areas of conflict prevention, strengthening of the rule of law, economic, social and cultural development and promotion of new information technologies, and requests United Nations bodies to give it their support;

3. *Welcomes* the involvement of the countries that use French as a common language, through the Agency for Cultural and Technical Cooperation, in United Nations activities, including the preparation for, conduct of and follow-up to world conferences organized under United Nations auspices;

4. *Notes with satisfaction* that the Agency for Cultural and Technical Cooperation is participating more frequently in the work of the United Nations, to which it makes a valuable contribution;

5. *Welcomes in particular* the five cooperation agreements concluded in 1995 and 1996 between the United Nations, the United Nations Development Programme, the United Nations Children's Fund and the Office of the United Nations High Commissioner for Human Rights on the one hand and the Agency for Cultural and Technical Cooperation on the other;

6. *Welcomes also* the high-level meetings held periodically between the Secretary-General of the United Nations and the Secretary-General of the Agency for Cultural and Technical Cooperation and between senior secretariat officials of both organizations, and encourages their participation in major meetings of both organizations;

7. *Notes with satisfaction* the outcome of the meeting held in Paris on 29 September 1997 between those responsible for electoral assistance at the United Nations and at the Agency for Cultural and Technical Cooperation, and encourages cooperation between the two organizations in this area;

8. *Recommends* to the United Nations and the Agency for Cultural and Technical Cooperation that they intensify their consultations with a view to ensuring greater coordination in the area of conflict prevention, support for the rule of law and democracy and promotion of human rights;

9. *Invites* the Secretary-General to include the Agency for Cultural and Technical Cooperation in the periodic meetings he holds with the heads of regional organizations, taking into account the role played by the Agency in the area of conflict prevention and support for democracy and the rule of law;

10. *Requests* the Secretary-General, acting in cooperation with the Secretary-General of the Agency for Cultural and Technical Cooperation, to encourage the holding of periodic meetings between representatives of the United Nations Secretariat and representatives of the secretariat of the Agency for Cultural and Technical Cooperation in order to promote the exchange of information and the identification of new areas of cooperation;

11. *Expresses its appreciation* to the Secretary-General of the United Nations and the Secretary-General of the Agency for Cultural and Technical Cooperation for their sustained efforts to strengthen cooperation and coordination between the United Nations and the Agency for Cultural and Technical Cooperation, thereby serving the mutual interests of the two organizations in the political, economic, social and cultural fields;

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[1] A/52/299 and Add.1 and 2.

12. *Invites* the Secretary-General to take the necessary steps, in consultation with the Secretary-General of the Agency for Cultural and Technical Cooperation, to continue to promote cooperation between the two organizations;

13. *Invites* the specialized agencies and other programmes and organizations of the United Nations system, particularly the United Nations Development Programme, to collaborate to this end with the Secretary-General of the Agency for Cultural and Technical Cooperation by undertaking new joint initiatives in the areas of poverty elimination, micro-financing, energy, sustainable development, education, training and the development of new information technologies;

14. *Requests* the Secretary-General to submit to the General Assembly at its fifty-fourth session a report on the implementation of the present resolution;

15. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Cooperation between the United Nations and the Agency for Cultural and Technical Cooperation".

34th plenary meeting
17 October 1997

52/3. Cooperation between the United Nations and the Latin American Economic System

The General Assembly,

Recalling its resolution 50/14 of 15 November 1995 on cooperation between the United Nations and the Latin American Economic System,

Having considered the report of the Secretary-General on cooperation between the United Nations and the Latin American Economic System,[2]

Bearing in mind the Agreement between the United Nations and the Latin American Economic System, in which the parties agree to strengthen and expand their cooperation in matters which are of common concern in the field of their respective competence pursuant to their constitutional instruments,

Considering that the Economic Commission for Latin America and the Caribbean has developed ties of cooperation with the Latin American Economic System which have grown stronger in recent years,

Bearing in mind that the Permanent Secretariat of the Latin American Economic System has carried out several programmes with the support of the United Nations Development Programme in areas that are considered of priority for the economic and social development of the region,

Considering that the Latin American Economic System is developing joint activities with the specialized agencies and other organizations and programmes of the United Nations system, such as the United Nations Conference on Trade and Development, the United Nations Educational, Scientific and Cultural Organization, the United Nations Industrial Development Organization, the World Health Organization and the World Intellectual Property Organization,

Welcoming the continued monitoring of changes in the treatment of topics relating to the United Nations system, in close contact with the delegations of the Member States participating in such deliberations,

1. *Takes note with satisfaction* of the report of the Secretary-General;[2]

2. *Urges* the Economic Commission for Latin America and the Caribbean to continue broadening and deepening its coordination and mutual support activities with the Latin American Economic System;

3. *Urges* the United Nations Development Programme, within its new overall framework and high-priority development objectives in support of sustainable human development, to renew and expand its financial and technical cooperation with the programmes that the Permanent Secretariat of the Latin American Economic System is carrying out in areas of mutual interest and concern, aimed at complementing the technical assistance activities conducted by the Latin American Economic System;

4. *Urges* the specialized agencies and other organizations, funds and programmes of the United Nations system to continue and intensify their support for, and cooperation in the activities of, the Latin American Economic System;

5. *Requests* the Secretary-General of the United Nations and the Permanent Secretary of the Latin American Economic System to assess, at the appropriate time, the implementation of the Agreement between the United Nations and the Latin American Economic System and to report thereon to the General Assembly at its fifty-third session;

6. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report on the implementation of the present resolution.

35th plenary meeting
22 October 1997

52/4. Cooperation between the United Nations and the Organization of the Islamic Conference

The General Assembly,

Recalling its resolutions 37/4 of 22 October 1982, 38/4 of 28 October 1983, 39/7 of 8 November 1984, 40/4 of 25 October 1985, 41/3 of 16 October 1986, 42/4 of 15 October 1987, 43/2 of 17 October 1988, 44/8 of 18 October 1989, 45/9 of 25 October 1990, 46/13 of 28 October 1991, 47/18 of 23 November 1992, 48/24 of 24 November 1993, 49/15 of 15 November 1994, 50/17 of 20 November 1995 and 51/18 of 14 November 1996,

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[2] A/52/376.

Having considered the report of the Secretary-General on cooperation between the United Nations and the Organization of the Islamic Conference,[3]

Taking into account the desire of both organizations to continue to cooperate closely in the political, economic, social, humanitarian, cultural and technical fields and in their common search for solutions to global problems, such as questions relating to international peace and security, disarmament, self-determination, decolonization, fundamental human rights and economic and technical development,

Recalling the Articles of the Charter of the United Nations that encourage the activities through regional cooperation for the promotion of the purposes and principles of the United Nations,

Noting the strengthening of cooperation between the United Nations, its funds and programmes and specialized agencies and the Organization of the Islamic Conference, its subsidiary organs and its specialized and affiliated institutions,

Noting also the encouraging progress made in the nine priority areas of cooperation, as well as in the identification of other areas of cooperation,

Convinced that the strengthening of cooperation between the United Nations and other organizations of the United Nations system and the Organization of the Islamic Conference and its organs and institutions contributes to the promotion of the purposes and principles of the United Nations,

Taking into account the report of the Secretary-General entitled "An Agenda for Peace",[4] in particular section VII, concerning cooperation with regional arrangements and organizations, and the "Supplement to An Agenda for Peace",[5]

Noting with appreciation the determination of both organizations to strengthen further the existing cooperation by developing specific proposals in the designated priority areas of cooperation, as well as in the political field,

1. *Takes note with satisfaction* of the report of the Secretary-General;[3]

2. *Notes with satisfaction* the active participation of the Organization of the Islamic Conference in the work of the United Nations towards the realization of the purposes and principles of the Charter of the United Nations;

3. *Requests* the United Nations and the Organization of the Islamic Conference to continue to cooperate in their common search for solutions to global problems, such as questions relating to international peace and security, disarmament, self-determination, decolonization, fundamental human rights, social and economic development and technical cooperation;

4. *Welcomes* the efforts of the United Nations and the Organization of the Islamic Conference to strengthen cooperation between the two organizations in areas of common concern and to review the ways and means for enhancing the actual mechanisms of such cooperation;

5. *Welcomes also* the efforts of the secretariats of the two organizations to strengthen information exchange, coordination and cooperation between them in areas of mutual interest in the political field and their ongoing consultations with a view to developing the modalities of such cooperation;

6. *Welcomes further* the periodic high-level meetings between the Secretary-General of the United Nations and the Secretary-General of the Organization of the Islamic Conference, as well as between senior secretariat officials of the two organizations, and encourages their participation in important meetings of the two organizations;

7. *Recommends* that, in accordance with its resolution 50/17, in order to enhance cooperation and for the purpose of review and appraisal of progress, a general meeting between representatives of the secretariats of the United Nations system and the Organization of the Islamic Conference should take place in 1998;

8. *Also recommends* that, in accordance with resolution 50/17, coordination meetings of focal points of the organizations and agencies of the United Nations system and the Organization of the Islamic Conference and its specialized institutions should be held concurrently with the general meeting in 1998;

9. *Encourages* the specialized agencies and other organizations of the United Nations system to continue to expand their cooperation with the subsidiary organs and specialized and affiliated institutions of the Organization of the Islamic Conference, particularly by negotiating cooperation agreements, and invites them to multiply the contacts and meetings of the focal points for cooperation in priority areas of interest to the United Nations and the Organization of the Islamic Conference;

10. *Urges* the United Nations and other organizations of the United Nations system, especially the lead agencies, to provide increased technical and other forms of assistance to the Organization of the Islamic Conference and its subsidiary organs and specialized and affiliated institutions in order to enhance cooperation;

11. *Expresses its appreciation* to the Secretary-General for his continued efforts to strengthen cooperation and coordination between the United Nations and other organizations of the United Nations system and the Organization of the Islamic Conference and its subsidiary organs and specialized and affiliated institutions to serve the mutual interests of the two organizations in the political, economic, social and cultural fields, and expresses the hope

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[3] A/52/377.

[4] A/47/277-S/24111; see *Official Records of the Security Council, Forty-seventh Year, Supplement for April, May and June 1992*, document S/24111.

[5] A/50/60-S/1995/1; see *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/1.

that he will continue to strengthen the mechanisms of coordination between the two organizations;

12. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the state of cooperation between the United Nations and the Organization of the Islamic Conference;

13. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Cooperation between the United Nations and the Organization of the Islamic Conference".

35th plenary meeting
22 October 1997

52/5. Cooperation between the United Nations and the League of Arab States

The General Assembly,

Recalling its previous resolutions on the promotion of cooperation between the United Nations and the League of Arab States,

Having considered the report of the Secretary-General on cooperation between the United Nations and the League of Arab States,[6]

Recalling the decision of the Council of the League of Arab States that it considers the League a regional organization within the meaning of Chapter VIII of the Charter of the United Nations,

Noting the desire of both organizations to consolidate, develop and enhance further the ties existing between them in the political, economic, social, humanitarian, cultural and administrative fields,

Taking into account the report of the Secretary-General entitled "An Agenda for Peace",[7] in particular section VII, concerning cooperation with regional arrangements and organizations, and the "Supplement to An Agenda for Peace",[8]

Convinced that the maintenance and further strengthening of cooperation between the United Nations system and the League of Arab States contribute to the promotion of the purposes and principles of the United Nations,

Convinced also of the need for more efficient and coordinated utilization of available economic and financial resources to promote common objectives of the two organizations,

Welcoming the results of the general meeting on cooperation between representatives of the secretariats of the organizations of the United Nations system and of the General Secretariat of the League of Arab States and its specialized organizations, held in Geneva from 2 to 4 July 1997,

1. *Takes note with satisfaction* of the report of the Secretary-General;[6]

2. *Commends* the continued efforts of the League of Arab States to promote multilateral cooperation among Arab States, and requests the United Nations system to continue to lend its support;

3. *Takes note* of the conclusions and recommendations adopted at the general meeting on cooperation held in Geneva between representatives of the secretariats of the organizations of the United Nations system and of the General Secretariat of the League of Arab States and its specialized organizations, which were contained in the final document transmitted by the Secretariat of the United Nations to all United Nations organizations that had participated in the meeting and to the General Secretariat of the League of Arab States;

4. *Expresses its appreciation* to the Secretary-General for the follow-up action taken by him to implement the proposals adopted at the meetings between the representatives of the secretariats of the United Nations and other organizations of the United Nations system and the General Secretariat of the League of Arab States and its specialized organizations, including the latest meeting, held in Geneva in 1997;

5. *Requests* the Secretariat of the United Nations and the General Secretariat of the League of Arab States, within their respective fields of competence, to intensify further their cooperation towards the realization of the purposes and principles of the Charter of the United Nations, the strengthening of international peace and security, economic development, disarmament, decolonization, self-determination and the eradication of all forms of racism and racial discrimination;

6. *Requests* the Secretary-General to continue his efforts to strengthen cooperation and coordination between the United Nations and other organizations and agencies of the United Nations system and the League of Arab States and its specialized organizations in order to enhance their capacity to serve the mutual interests of the two organizations in the political, economic, social, humanitarian, cultural and administrative fields;

7. *Calls upon* the specialized agencies and other organizations and programmes of the United Nations system:

(*a*) To continue to cooperate with the Secretary-General and among themselves, as well as with the League of Arab States and its specialized organizations, in the follow-up of multilateral proposals aimed at strengthening and expanding cooperation in all fields between the United Nations system and the League of Arab States and its specialized organizations;

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[6] A/52/378.

[7] A/47/277-S/24111; see *Official Records of the Security Council, Forty-seventh Year, Supplement for April, May and June 1992*, document S/24111.

[8] A/50/60-S/1995/1; see *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/1.

(*b*) To maintain and increase contacts and improve the mechanism of consultation with the counterpart programmes, organizations and agencies concerned regarding projects and programmes, in order to facilitate their implementation;

(*c*) To associate whenever possible with organizations and institutions of the League of Arab States in the execution and implementation of development projects in the Arab region;

(*d*) To inform the Secretary-General, not later than 10 June 1998, of the progress of their cooperation with the League of Arab States and its specialized organizations, in particular the follow-up action taken on the multilateral and bilateral proposals adopted at the previous meetings between the two organizations;

8. *Also calls upon* the specialized agencies and other organizations and programmes of the United Nations system to intensify cooperation with the League of Arab States and its specialized organizations in the following priority sectors, namely energy, rural development, desertification and green belts, training and vocational training, technology, environment and information and documentation;

9. *Requests* the Secretary-General of the United Nations, in cooperation with the Secretary-General of the League of Arab States, to encourage periodic consultation between representatives of the Secretariat of the United Nations and the General Secretariat of the League of Arab States to review and strengthen coordination mechanisms with a view to accelerating implementation of, and follow-up action on, multilateral projects, proposals and recommendations adopted at the meetings between the two organizations;

10. *Recommends* that a sectoral meeting on trade and development between the United Nations and the League of Arab States be held at the headquarters of the League of Arab States in Cairo during 1998;

11. *Decides* that, in order to enhance cooperation and for the purpose of review and appraisal of progress, a general meeting between the United Nations system and the League of Arab States should take place once every two years, and inter-agency sectoral meetings should be organized regularly on areas of priority and wide importance in the development of the Arab States, on the basis of agreement between the counterpart programmes of the United Nations system and the League of Arab States and its specialized organizations;

12. *Recommends* that the next general meeting on cooperation between the representatives of the secretariats of organizations of the United Nations system and of the General Secretariat of the League of Arab States and its specialized organizations be held during 1999;

13. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report on the implementation of the present resolution;

14. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Cooperation between the United Nations and the League of Arab States".

35th plenary meeting
22 October 1997

52/6. Observer status for the Andean Community in the General Assembly

The General Assembly,

Considering the importance of the Andean Community in the promotion of the balanced and harmonious development of the member countries on the basis of equity, through economic and social integration and cooperation, with a view to the gradual formation of a Latin American common market,

Considering also the need, frequently noted by the United Nations, to promote and support the economic development of the member countries,

Recalling its resolution 50/227 of 24 May 1996 on the restructuring and revitalization of the United Nations in the economic, social and related fields,

Wishing to promote cooperation between the United Nations and the Andean Community,

1. *Decides* to invite the Andean Community to participate in the sessions and the work of the General Assembly in the capacity of observer;

2. *Requests* the Secretary-General to take the necessary action to implement this resolution.

35th plenary meeting
22 October 1997

52/7. Cooperation between the United Nations and the Inter-Parliamentary Union

The General Assembly,

Recalling its resolution 51/7 of 25 October 1996, in which it welcomed the conclusion of the cooperation agreement between the United Nations and the Inter-Parliamentary Union as an important step for increased and strengthened cooperation between the two organizations,

Having considered the report of the Secretary-General[9] and debated the initial aspects of the cooperation resulting from the agreement,

1. *Notes with appreciation* the increased cooperation between the United Nations and the Inter-Parliamentary Union;

2. *Recommends* that this cooperation be further strengthened, at a time when the United Nations is preparing to meet the challenges of the twenty-first century;

3. *Requests* the Secretary-General to submit a further report to the General Assembly at its fifty-third session on various aspects of cooperation between the United Nations and the Inter-Parliamentary Union in implementation of the cooperation agreement;

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[9] A/52/456.

4. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Cooperation between the United Nations and the Inter-Parliamentary Union".

37th plenary meeting
28 October 1997

52/9. University for Peace

The General Assembly,

Recalling that in its resolution 34/111 of 14 December 1979 it approved the idea of establishing the University for Peace as a specialized international centre for postgraduate studies, research and the dissemination of knowledge specifically aimed at training and education for peace and its universal promotion within the United Nations system,

Recalling also that in its resolution 35/55 of 5 December 1980 it approved the establishment of the University for Peace in conformity with the International Agreement for the Establishment of the University for Peace,[10]

Recalling further its resolutions 45/8 of 24 October 1990 and 46/11 of 24 October 1991, on the tenth anniversary of the University for Peace and the report of the Secretary-General on that anniversary,[11] its resolution 48/9 of 25 October 1993, in which it decided to include in the agenda of its fiftieth session the item entitled "University for Peace", and its resolution 50/41 of 8 December 1995, in which it decided to include in the agenda of its fifty-second session the item entitled "University for Peace" and requested the Secretary-General to consider ways of strengthening cooperation between the United Nations and the University for Peace and to submit a report thereon to the General Assembly at its fifty-second session,

Recognizing once again that the University has suffered from financial limitations which have impeded the full development of the activities and programmes necessary for carrying out its important mandate,

Recognizing also the important and varied activities carried out by the University during the period 1995-1997, largely thanks to the financial contributions made by Canada, Costa Rica and Spain and contributions by foundations and non-governmental organizations,

Noting that in 1991 the Secretary-General, with the assistance of the United Nations Development Programme, established a Trust Fund for Peace consisting of voluntary contributions in order to provide the University with the means necessary to extend its sphere of activity to the rest of the world, to take full advantage of its potential capacity for education, research and support of the United Nations and to carry out its mandate of promoting peace in the world,

Noting also that the University has placed special emphasis, in the context of the report of the Secretary-General entitled "An Agenda for Peace",[12] on the area of conflict prevention, peacekeeping and peace-building, as well as on the peaceful settlement of disputes, and that it has launched programmes in the area of democratic consensus-building and in the training of academic experts in the techniques of the peaceful settlement of conflicts, as well as a broad programme in Central America and the Caribbean on the building of cultures of peace,

Considering the importance of promoting an education for peace which will help to foster respect for the values inherent in peace and universal coexistence among human beings, such as respect for life, friendship and solidarity between peoples and the dignity and integrity of persons irrespective of their nationality, race, sex, religion or culture,

Considering with appreciation that the Government of Uruguay established in 1997 in the city of Montevideo a World Centre for Research and Information on Peace, by agreement with the University for Peace, which gave that Centre the status of regional sub-headquarters of the University for Peace for South America,

Taking into account the efforts being made by the United Nations and by the United Nations Educational, Scientific and Cultural Organization for the development and promotion of a new culture of peace,

Recalling that in its resolution 46/11 it decided to include in the agenda of its forty-eighth session and biennially thereafter an item entitled "University for Peace",

1. *Requests* the Secretary-General, in view of the intense work done by the University for Peace, to consider ways of strengthening cooperation between the United Nations and the University for Peace and to submit a report thereon to the General Assembly at its fifty-fourth session;

2. *Invites* Member States, non-governmental organizations and intergovernmental bodies, as well as interested organizations and individuals, to contribute directly to the Trust Fund for Peace and to the budget of the University;

3. *Invites* Member States to accede to the International Agreement for the Establishment of the University for Peace, thereby demonstrating their support for a global peace studies institution whose mandate is the promotion of a global culture of peace;

4. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "University for Peace".

44th plenary meeting
4 November 1997

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[10] See resolution 35/55, annex.

[11] A/46/580.

[12] A/47/277-S/24111; see *Official Records of the Security Council, Forty-seventh Year, Supplement for April, May and June 1992*, document S/24111.

52/10. Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

The General Assembly,

Determined to encourage strict compliance with the purposes and principles enshrined in the Charter of the United Nations,

Reaffirming, among other principles, the sovereign equality of States, non-intervention and non-interference in their internal affairs and freedom of international trade and navigation, which are also enshrined in many international legal instruments,

Recalling the statements of the heads of State or Government at the Ibero-American Summits concerning the need to eliminate the unilateral application of economic and trade measures by one State against another that affect the free flow of international trade,

Concerned about the continued promulgation and application by Member States of laws and regulations, such as that promulgated on 12 March 1996 known as the "Helms-Burton Act", the extraterritorial effects of which affect the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the freedom of trade and navigation,

Taking note of declarations and resolutions of different intergovernmental forums, bodies and Governments that express the rejection by the international community and public opinion of the promulgation and application of regulations of the kind referred to above,

Recalling its resolutions 47/19 of 24 November 1992, 48/16 of 3 November 1993, 49/9 of 26 October 1994, 50/10 of 2 November 1995 and 51/17 of 12 November 1996,

Concerned that, since the adoption of its resolutions 47/19, 48/16, 49/9, 50/10 and 51/17, further measures of that nature aimed at strengthening and extending the economic, commercial and financial embargo against Cuba continue to be promulgated and applied, and concerned also about the adverse effects of such measures on the Cuban people and on Cuban nationals living in other countries,

1. *Takes note* of the report of the Secretary-General[13] on the implementation of resolution 51/17;

2. *Reiterates its call* on all States to refrain from promulgating and applying laws and measures of the kind referred to in the preamble to the present resolution in conformity with their obligations under the Charter of the United Nations and international law, which, *inter alia*, reaffirm the freedom of trade and navigation;

3. *Once again urges* States that have and continue to apply such laws and measures to take the necessary steps to repeal or invalidate them as soon as possible in accordance with their legal regime;

4. *Requests* the Secretary-General, in consultation with the appropriate organs and agencies of the United Nations system, to prepare a report on the implementation of the present resolution in the light of the purposes and principles of the Charter and international law and to submit it to the General Assembly at its fifty-third session;

5. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba".

45th plenary meeting
5 November 1997

52/11. Report of the International Atomic Energy Agency

The General Assembly,

Having received the report of the International Atomic Energy Agency to the General Assembly for the year 1996,[14]

Noting the statement of the Director General of the International Atomic Energy Agency of 12 November 1997,[15] in which he provided additional information on the main developments in the activities of the Agency during 1997,

Recognizing the importance of the work of the Agency in promoting the further application of nuclear energy for peaceful purposes as envisaged in the statute of the Agency and in accordance with the inalienable right of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons[16] and other relevant internationally legally binding agreements that have concluded relevant safeguards agreements with the Agency to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of the Treaty, with other relevant articles and with the objectives and purposes of the Treaty,

Conscious of the importance of the work of the Agency in the implementation of the safeguards provisions of the Treaty on the Non-Proliferation of Nuclear Weapons and other international treaties, conventions and agreements designed to achieve similar objectives, as well as in ensuring, as far as it is able, that the assistance provided by the Agency or at its request or under its supervision or control is not used in such a way as to further any military purpose, as stated in article II of its statute,

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[13] A/52/342 and Corr.1.

[14] International Atomic Energy Agency, *The Annual Report for 1996* (Austria, July 1997) (GC(41)/8); transmitted to the members of the General Assembly by a note by the Secretary-General (A/52/285).

[15] See *Official Records of the General Assembly, Fifty-second Session, Plenary Meetings*, 49th meeting (A/52/PV.49), and corrigendum.

[16] United Nations, *Treaty Series*, vol. 729, No. 10485.

Reaffirming that the Agency is the competent authority responsible for verifying and assuring, in accordance with the statute and the safeguards system of the Agency, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under article III, paragraph 1, of the Treaty on the Non-Proliferation of Nuclear Weapons, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices, and also reaffirming that nothing should be done to undermine the authority of the Agency in this regard and that States parties that have concerns regarding non-compliance with the safeguards agreement of the Treaty by the States parties should direct such concerns, along with supporting evidence and information, to the Agency to consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate,

Stressing the need for the highest standards of safety in the design and operation of nuclear installations and in peaceful nuclear activities so as to minimize risks to life, health and the environment,

Considering that an expansion of technical cooperation activities relating to the peaceful uses of nuclear energy will contribute to the well-being of the peoples of the world, recognizing the special needs of the developing countries for technical assistance from the Agency and the importance of funding in order to benefit effectively from the transfer and application of nuclear technology for peaceful purposes as well as from the contribution of nuclear energy to their economic development, and desiring that the resources of the Agency for technical cooperation activities be assured, predictable and sufficient to meet the objectives mandated in article II of its statute,

Recognizing the importance of the work of the Agency on nuclear energy, applications of nuclear methods and techniques, nuclear safety, radiological protection and radioactive waste management, including its work directed towards assisting developing countries in all these fields,

Taking note of the report of the Director General to the General Conference of the International Atomic Energy Agency[17] on the implementation of Security Council resolutions relating to Iraq, of his reports to the Security Council of 8 April[18] and 6 October 1997[19] and of resolution GC(41)/RES/23 of 3 October 1997 of the General Conference,[20]

Taking note also of resolutions GOV/2711 of 21 March 1994 and GOV/2742 of 10 June 1994 of the Board of Governors and GC(41)/RES/22 of 3 October 1997 of the General Conference of the International Atomic Energy Agency in connection with the implementation of the Agreement between the Government of the Democratic People's Republic of Korea and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons,[21] the statements by the President of the Security Council of 31 March,[22] 30 May[23] and 4 November 1994[24] and the authorization of the Board of Governors, on 11 November 1994, to the Director General, to carry out all the tasks requested of the Agency in the statement by the President of the Security Council of 4 November 1994,

Bearing in mind resolutions GC(41)/RES/10 on the Convention on Nuclear Safety, GC(41)/RES/11 on the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, GC(41)/RES/12 on safety of transport of radioactive materials, GC(41)/RES/13 on the strengthening of the Agency's technical cooperation activities, GC(41)/RES/14 on the plan for producing potable water economically, GC(41)/RES/15 on the extensive use of isotope hydrology for water resources management, GC(41)/RES/16 on strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Protocol, GC(41)/RES/18 on the staffing of the Agency's secretariat, GC(41)/RES/20 on the amendment of article VI of the statute concerning, *inter alia*, the size and composition of the membership of the Board of Governors, GC(41)/RES/21 on the international initiative for the Chernobyl sarcophagus and GC(41)/RES/25 on the application of Agency safeguards in the Middle East, adopted on 3 October 1997 by the General Conference of the Agency at its forty-first regular session,

Encouraging the efforts to be made by the forthcoming International Pledging Conference on the Chernobyl Sarcophagus to be held in New York, and noting with interest the forthcoming Special International Meeting on Chernobyl to be held in New York,

Noting the statement by the President of the forty-first regular session of the General Conference of the Agency, issued under item 26 concerning the application of International Atomic Energy Agency Safeguards in the Middle East, that:

> "In the context of the agenda item on the application of International Atomic Energy Agency Safeguards in the Middle East, the General Conference requests the Director General to invite experts from the Middle East and other areas to a technical workshop on safeguards, verification technologies and other related experience, including experience in various regional contexts. It calls on the Director General to commence with the preparation, in consultation and coordination with the parties concerned, with a view to developing an agenda

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[17] GC(41)/20.

[18] See *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/297.

[19] Ibid., *Supplement for October, November and December 1997*, document S/1997/779.

[20] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-first Regular Session, 22 September-3 October 1997* (GC(41)/RES/DEC(1997)).

[21] International Atomic Energy Agency, INFCIRC/403.

[22] *Resolutions and Decisions of the Security Council, 1994*, document S/PRST/1994/13.

[23] Ibid., document S/PRST/1994/28.

[24] Ibid., document S/PRST/1994/64.

> and modalities that would help ensure a successful workshop. Future proposals on workshops in the framework of the above-mentioned agenda item shall be submitted by mutual consent",

Noting also the statement by the President of the forty-first regular session of the General Conference of the Agency, issued under item 20 concerning the composition of regional groups, that:

> "The General Conference at its fortieth session took note of the report of the Director General on the composition of regional groups under the agenda item 'Amendment of article VI of the statute', as contained in the attachment to document GC(40)/11. It reiterated the principle of the sovereign equality of all member States of the Agency, as provided for in article IV.C of the statute. It affirmed that this principle requires that each member State of the Agency be within one of the areas listed in article VI.A.1 of the statute. Recalling the draft resolution contained in document GC(39)/COM.5/10 of 19 September 1995 and resolution GC(39)/RES/22 of 22 September 1995, the Conference requests that the Chairman of the Board of Governors continue to consult with member States not yet listed in a regional area, as well as with other member States, including representatives of the regional areas, and that he report for consideration of the forty-second General Conference specific proposals to include each member State within the appropriate area at the time of the Conference in September 1998",

Bearing in mind resolution GC(41)/RES/17 of 3 October 1997 on measures against illicit trafficking in nuclear materials and other radioactive sources, recognizing the importance of measures against illicit trafficking of nuclear material, and, in this regard, further recognizing the importance of the programme for preventing and combating illicit trafficking in nuclear material, agreed upon by the participants in the Moscow Nuclear Safety and Security Summit of April 1996 and confirmed by the participants in the Denver Summit of June 1997,

Also bearing in mind resolution GC(41)/RES/19 on women in the secretariat, adopted on 3 October 1997, calling on the Director General to further integrate the Platform for Action adopted at the Fourth World Conference on Women[25] into the relevant policies and programmes of the Agency,

Noting that the present Director General of the International Atomic Energy Agency, Mr. Hans Blix, will retire on 30 November 1997 with the title of "Director General Emeritus of the International Atomic Energy Agency" conferred on him by the General Conference of the Agency and that the General Conference, in resolution GC(41)/RES/3, approved the appointment of Mr. Mohamed ElBaradei as Director General from 1 December 1997,

1. *Takes note* of the report of the International Atomic Energy Agency;[14]

2. *Affirms its confidence* in the role of the Agency in the application of nuclear energy for peaceful purposes;

3. *Welcomes* the measures and decisions taken by the Agency to maintain and strengthen the effectiveness and cost efficiency of the safeguards system in conformity with the statute of the Agency, in particular, stressing the importance of the Model Additional Protocol approved on 15 May 1997, affirms that strengthening the effectiveness and improving the efficiency of the safeguards system with a view to detecting undeclared nuclear activities must be implemented rapidly and universally by all concerned States and other parties in compliance with their respective international commitments, and requests all concerned States and other parties to safeguards agreements to conclude the additional protocols without delay;

4. *Urges* all States to strive for effective and harmonious international cooperation in carrying out the work of the Agency, pursuant to its statute, in promoting the use of nuclear energy and the application of the necessary measures to strengthen further the safety of nuclear installations and to minimize risks to life, health and the environment, in strengthening technical assistance and cooperation for developing countries and in ensuring the effectiveness and efficiency of the safeguards systems of the Agency;

5. *Welcomes* the measures and decisions taken by the Agency to strengthen and fund its technical cooperation activities, which should contribute to achieving sustainable development in developing countries, and calls upon States to cooperate in implementing the measures and decisions pursuant thereto;

6. *Commends* the Director General and the secretariat of the Agency for their continuing, impartial efforts to implement the safeguards agreement still in force between the Agency and the Democratic People's Republic of Korea, including their efforts to monitor the freeze of specified facilities in the Democratic People's Republic of Korea as requested by the Security Council, expresses concern about the continuing non-compliance of the Democratic People's Republic of Korea with the safeguards agreement, and urges the Democratic People's Republic of Korea to cooperate fully with the Agency in the implementation of the safeguards agreement and to take all steps the Agency may deem necessary to preserve all information relevant to verifying the accuracy and completeness of the initial report of the Democratic People's Republic of Korea on the inventory of nuclear material subject to safeguards until the Democratic People's Republic of Korea comes into full compliance with its safeguards agreement;

7. *Also commends* the Director General of the Agency and his staff for their strenuous efforts to implement Security Council resolutions 687 (1991) of 3 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991 and 1051 (1996) of 27 March 1996, notes that progress continues to be made in the review of Iraq's full, final and complete declaration and that further progress has been made regarding

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[25] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

the content and accuracy of Iraq's six-monthly declarations under the ongoing monitoring and verification plan, notes with concern, however, that Iraq has still not provided the Agency's Action Team with all the information that it has requested, deplores Iraq's obstruction of aircraft used by the Agency in February 1997, calls upon Iraq to cooperate fully with the Action Team in meeting its requests for information and in achieving the complete implementation of the relevant Security Council resolutions and the ongoing monitoring and verification plan, stresses again Iraq's obligation to hand over immediately to the Action Team any nuclear-weapon-related equipment, material and information it may still possess and to allow the Action Team immediate, unconditional and unrestricted rights of access in accordance with Security Council resolution 707 (1991), and stresses that the Action Team will continue to exercise its right under all relevant Security Council resolutions and as regards any further relevant information that may come to light;

8. *Welcomes* the entry into force on 24 October 1996 of the Convention on Nuclear Safety,[26] appeals to all States to become parties to it so that it obtains the widest possible adherence, and expresses its satisfaction that an organizational meeting of the contracting parties will be held from 29 September to 2 October 1998 and that a first review meeting will begin on 12 April 1999;

9. *Also welcomes* the measures taken by the Agency in support of efforts to prevent illicit trafficking in nuclear materials and other radioactive sources and, in this context, calls upon other States to join the programme for preventing and combating illicit trafficking in nuclear materials agreed upon by the participants at the Moscow Nuclear Safety and Security Summit of April 1996 and confirmed at the Denver Summit in June 1997;

10. *Welcomes* the adoption of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management in Vienna on 5 September 1997, and appeals to all States to become parties to the Convention so that it may enter into force as soon as possible;

11. *Also welcomes* the adoption on 12 September 1997 of the Protocol to Amend the Vienna Convention on Civil Liability for Nuclear Damage and the Convention on Supplementary Compensation for Nuclear Damage, and appeals to all States in a position to do so to become parties to the Protocol and to the Convention so that those instruments may enter into force as soon as possible;

12. *Expresses its appreciation* for the sixteen years of distinguished service by Mr. Hans Blix as Director General of the Agency, and extends its best wishes to Mr. Mohamed ElBaradei, the incoming Director General of the Agency;

13. *Requests* the Secretary-General to transmit to the Director General of the Agency the records of the fifty-second session of the General Assembly relating to the activities of the Agency.

49th plenary meeting
12 November 1997

52/12. Renewing the United Nations: a programme for reform

A

The General Assembly,

Affirming its determination to strengthen the role, capacity, effectiveness and efficiency of the United Nations and thus improve its performance in order to realize the full potential of the Organization, in accordance with the purposes and principles of the Charter of the United Nations, and to respond more effectively to the needs and aspirations of the Member States,

Welcoming the report of the Secretary-General of 14 July 1997 entitled "Renewing the United Nations: a programme for reform",[27]

Having considered the actions described in the report of the Secretary-General entitled "Renewing the United Nations: a programme for reform" and the addenda thereto,[28] with the clarifications to that report,[29] as well as the statement by the Secretary-General in the open-ended informal consultations of the plenary on 4 November 1997,[30]

Bearing in mind the rules of procedure of the General Assembly and the Financial Regulations and Rules of the Organization,

1. *Commends* the efforts and initiatives of the Secretary-General aimed at reforming the United Nations;

2. *Calls upon* the Secretary-General, while implementing the actions described in his report, to take full account of the views and comments expressed by Member States and groups of Member States, including those transmitted in their communications;[31]

3. *Stresses* that the actions will be implemented with full respect for the relevant mandates, decisions and resolutions of the General Assembly, including in particular the medium-term plan for the period 1998-2001;[32]

4. *Notes* that the report of the Secretary-General of 11 September 1997[33] will be considered in the context of the examination of the proposed programme budget for the biennium 1998-1999;[34]

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[26] International Atomic Energy Agency, INFCIRC/449.

[27] A/51/950.

[28] A/51/950 and Add.1-6.

[29] A/52/584.

[30] A/52/585.

[31] A/52/661, A/52/662, A/52/663 and A/52/664.

[32] *Official Records of the General Assembly, Fifty-first Session, Supplement No. 6* and corrigendum (A/51/6/Rev.1 and Corr.1).

[33] A/52/303.

[34] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 6* (A/52/6/Rev.1), vols. I and II.

5. *Affirms* that programmatic implications of relevant actions will be considered in conjunction with related recommendations;

6. *Requests* the Secretary-General to submit a report on the implementation of the actions described in his report entitled "Renewing the United Nations: a programme for reform" to the General Assembly at its fifty-third session;

7. *Decides* to continue its consideration of the report of the Secretary-General entitled "Renewing the United Nations: a programme for reform".

49th plenary meeting
12 November 1997

B

The General Assembly,

Having considered further the report of the Secretary-General on renewing the United Nations: a programme for reform,[35] and the recommendations contained therein,

Recalling its resolution 52/12 A of 12 November 1997,

Recalling also its resolutions 50/227 of 24 May 1996, 51/240 of 20 June 1997 and 51/241 of 31 July 1997, as well as all other relevant resolutions and decisions, which contain legislative mandates and programme guidance, and, in particular, the medium-term plan for the period 1998-2001,

Reaffirming that financial implications of any reform measure or proposal on which the General Assembly is to take action should be considered in accordance with rule 153 of the rules of procedure of the General Assembly,

A. *Deputy Secretary-General*

1. *Decides* to establish the post of Deputy Secretary-General as an integral part of the Office of the Secretary-General, as set out in addendum 1 to the report of the Secretary-General[36] and in the statement made by the Secretary-General on 4 November 1997 to the open-ended informal consultations of the plenary on United Nations reform: measures and proposals,[37] without prejudice to the mandate of the Secretary-General as provided by the Charter of the United Nations and, in accordance with the existing system of decision-making, with responsibilities delegated by the Secretary-General, including the following:

(*a*) To assist the Secretary-General in managing the operations of the Secretariat;

(*b*) To act for the Secretary-General at United Nations Headquarters in the absence of the Secretary-General and in other cases as may be decided by the Secretary-General;

(*c*) To support the Secretary-General in ensuring intersectoral and inter-institutional coherence of activities and programmes and to support the Secretary-General in elevating the profile and leadership of the United Nations in the economic and social spheres, including further efforts to strengthen the United Nations as a leading centre for development policy and development assistance;

(*d*) To represent the Secretary-General at conferences, official functions and ceremonial and other occasions as may be decided by the Secretary-General;

(*e*) To undertake such assignments as may be determined by the Secretary-General;

2. *Notes* that the Secretary-General will appoint the Deputy Secretary-General following consultations with Member States and in accordance with Article 101 of the Charter of the United Nations and that the term of office of the Deputy Secretary-General will not exceed that of the Secretary-General;

B. *New approaches to policy formulation*

3. *Welcomes* the recommendations of the Secretary-General aimed at the rationalization, streamlining and enhancement of the work of the General Assembly, taking into account the measures already undertaken towards this end in order to further strengthen the Assembly as the organ of the United Nations that most fully embodies the universal and democratic character of the Organization;

4. *Decides*, in this context, to continue during its fifty-second session its in-depth consideration of those recommendations under the item entitled "Revitalization of the work of the General Assembly", taking into account the report to be submitted by the Secretary-General in accordance with resolution 51/241;

C. *Peace, security and disarmament*

5. *Invites* Member States to improve the supply of information to the Secretary-General that could assist the Organization to prevent conflict and maintain international peace and security in full accordance with the provisions of the Charter of the United Nations;

6. *Stresses* that enhancing the rapid deployment capacity of the United Nations in peacekeeping operations can play a valuable role in the effectiveness of its response to a conflict, and, in this context, requests the appropriate organs to consider, as a matter of priority, specific measures to that effect, in accordance with General Assembly resolution 52/69 of 10 December 1997 and taking into account the proposals to be submitted by the Secretary-General and the views of Member States;

7. *Endorses* the recommendation that the Security Council, in establishing a peacekeeping operation in the future, should prescribe a time-frame for the conclusion of the status-of-forces agreement between the United Nations and the host Government for the operation in question and that, pending the conclusion of such an agreement, a model status-of-forces agreement would apply provisionally unless otherwise agreed

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[35] A/51/950 and Add.1-7.

[36] A/51/950/Add.1.

[37] See A/52/585

by the parties concerned, and invites the Security Council to consider the matter;

8. *Decides* that the Disarmament Commission and the First Committee of the General Assembly should undertake a review of their work, to be concluded before the end of the fifty-second session, with a view to its revitalization, rationalization and streamlining, taking into account discussions that have already taken place on this issue;

D. *Economic and social affairs*

9. *Invites* the Economic and Social Council to consider, at its organizational and substantive sessions in 1998, as part of the review of the mandates, composition, functions and working methods of its functional commissions and expert groups and bodies, as mandated by the General Assembly in its resolution 50/227, the recommendations of the Secretary-General relating to the reform of its subsidiary bodies, including a time-frame for implementation of its decisions thereon, as well as his recommendations relating to the organization and methods of work of the Council, and to report thereon to the Assembly as early as possible during its fifty-second session;

10. *Invites* the Economic and Social Council, in consultation with Member States and appropriate intergovernmental regional bodies, to conduct a general review of the regional commissions at its substantive session of 1998, bearing in mind the relevant provisions of resolution 50/227 and the individual reviews each commission has already carried out, in order to consider the competencies of the regional commissions, taking into account the competencies of global bodies and other regional and subregional intergovernmental bodies, and to submit a report thereon to the General Assembly before the end of its fifty-second session;

11. *Endorses* the recommendation of the Secretary-General to discontinue the High-level Advisory Board on Sustainable Development;

E. *Development cooperation*

12. *Accepts* that management of funds and programmes would be enhanced by greater integration of intergovernmental oversight, and requests the Economic and Social Council, in the context of the next triennial policy review of the United Nations, during its operational activities segment of 1998, to consider arrangements for closer integration of the governance oversight of the United Nations Development Programme and the United Nations Population Fund and of the United Nations Children's Fund, with consecutive and/or joint meetings of the existing Executive Boards, bearing in mind the respective mandates of the Executive Boards of the funds and programmes;

13. *Takes note*, in this context, of the decision already taken by the Executive Board of the United Nations Development Programme and the United Nations Population Fund and by the Executive Board of the United Nations Children's Fund to organize a joint meeting in January 1998;

14. *Recognizes* the urgent need for resources for development on a predictable, continuous and assured basis, taking fully into account the principle of neutrality, and requests the Secretary-General to submit, by the end of March 1998, for consideration by the General Assembly, specific proposals for the establishment of a new system of core resources, taking into account the views expressed by Member States;

F. *Humanitarian affairs*

15. *Decides* to designate the Emergency Relief Coordinator as the United Nations Humanitarian Assistance Coordinator, who will, *inter alia*, retain responsibility for coordination of natural disaster relief;

16. *Decides also* to transfer to the United Nations Development Programme the responsibilities of the Emergency Relief Coordinator for operational activities for natural disaster mitigation, prevention and preparedness, with the understanding that the resources for this task will be separate and additional to the resources of the United Nations Development Programme for development activities and that they will be provided by a grant from the regular budget of the United Nations for the biennium 1998-1999;

17. *Requests* the Secretary-General to submit, before the end of the fifty-second session of the General Assembly, a report on the method of financing of natural disaster mitigation, prevention and preparedness activities beyond the biennium 1998-1999;

18. *Decides* to establish a humanitarian affairs segment of the Economic and Social Council, with effect from 1998, and, in this connection, requests the Council to consider expeditiously the related practical arrangements and make an early recommendation to the General Assembly, without prejudice to the work of the other segments of the Council;

G. *Financing the Organization*

19. *Reaffirms* the obligation of all Member States, in accordance with the Charter, to pay their assessed contributions in full, on time and without conditions;

20. *Takes note* of the recommendation of the Secretary-General that a revolving credit fund be established through voluntary contributions or any other means of financing that Member States may wish to suggest, and requests the Secretary-General, taking into account the views expressed by Member States, to submit by the end of March 1998 detailed proposals to the General Assembly, through the competent bodies, for the proposed establishment of such a fund, including its financing, management and operation, while emphasizing that the priority lies in the compliance by all Member States with their financial obligations to the United Nations;

21. *Takes notes also* of the recommendation of the Secretary-General that, in future, any unspent balances under the regular budget at the end of the fiscal period be retained, and invites the competent bodies to consider the implications of such retention, as well as the appropriate use of such balances, including possible allocation to development programmes, on the basis of a report to be submitted by the

Secretary-General to the General Assembly, before the end of its fifty-second session;

H. *Management*

22. *Decides* to examine the recommendation of the Secretary-General on initiating a review of the International Civil Service Commission, and, on the basis of information to be provided by the Secretary-General, requests the competent intergovernmental bodies to consider the modalities for such a review and to report to the General Assembly before the end of its fifty-second session;

23. *Notes* that the Secretary-General has submitted the draft Code of Conduct for United Nations Staff [38] to the General Assembly, and agrees to expedite its consideration;

24. *Decides* to establish, in the programme budget for the biennium 1998-1999, a development account to be funded from savings from possible reductions in administration and other overhead costs, without affecting full implementation of mandated programmes and activities, and requests the Secretary-General to submit a detailed report by the end of March 1998 identifying the sustainability of this initiative, as well as the modalities of implementation, the specific purposes and associated performance criteria for the use of such resources;

25. *Takes note* of the recommendation of the Secretary-General to shift United Nations programme budgeting towards a system of results-based budgeting, and requests him to submit, through the competent bodies, a more detailed report that will include a full explanation for the proposed change, and the methodology to be used, as well as a mock-up of one or more sections of the budget for consideration before the end of the fifty-second session of the General Assembly;

I. *Longer-term changes*

26. *Recognizes* that reform of the United Nations will be an ongoing process and that there is a need for the United Nations to consider changes of a more fundamental nature and other broader issues, and invites the Secretary-General to elaborate further his proposals, taking into account the views of Governments, and to present them to the General Assembly by the end of March 1998 on:

(*a*) A new concept of trusteeship;

(*b*) A Millennium Assembly;

(*c*) A Millennium Forum;

(*d*) The United Nations system (a Special Commission at the ministerial level to examine the need for possible amendments to the Charter of the United Nations and the treaties from which the specialized agencies derive their mandates);

(*e*) Provisions whereby initiatives that involve new mandates and institutional machinery would be subject to specific time limits that would require explicit review and renewal by the General Assembly (sunset provisions);

27. *Looks forward* to the convening of the United Nations Conference of Plenipotentiaries to finalize and adopt a convention to establish an international criminal court as a step that would strengthen significantly the rule of law in the century ahead;

28. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "United Nations reform: measures and proposals".

78th plenary meeting
19 December 1997

52/13. Culture of peace

The General Assembly,

Recalling the preamble to the Charter of the United Nations and the purposes and principles of the United Nations, and recalling also that the creation of the United Nations system itself, based upon universally shared values and goals, has been a major act towards transformation from a culture of war and violence to a culture of peace and non-violence,

Aware that the task of the United Nations to save future generations from the scourge of war requires transformation towards a culture of peace, which consists of values, attitudes and behaviours that reflect and inspire social interaction and sharing based on the principles of freedom, justice and democracy, all human rights, tolerance and solidarity, that reject violence and endeavour to prevent conflicts by tackling their root causes to solve problems through dialogue and negotiation and that guarantee the full exercise of all rights and the means to participate fully in the development process of their society,

Recalling its resolutions 50/173 of 22 December 1995 and 51/101 of 12 December 1996 on a culture of peace and 51/104 of 12 December 1996 on the United Nations Decade for Human Rights Education and public information activities in the field of human rights,

Noting that the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on educational activities under the project entitled "Towards a culture of peace" with elements for a draft provisional declaration and programme of action on a culture of peace,[39] indicates that the transition from the culture of war to a culture of peace has been taken up as a priority by the United Nations Educational, Scientific and Cultural Organization and is also being promoted at many levels by the United Nations system as it enters the twenty-first century,

1. *Takes note* of the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization,[39] as transmitted by the Secretary-General and submitted in accordance with General Assembly resolution 51/101, which is set within the framework of United Nations

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[38] A/52/488.

[39] A/52/292, annex.

actions for peace-building, including the United Nations Decade for Human Rights Education, 1995-2004, and the United Nations Year for Tolerance, as well as the programmes of action of recent United Nations world conferences;

2. *Calls* for the promotion of a culture of peace based on the principles established in the Charter of the United Nations and on respect for human rights, democracy and tolerance, the promotion of development, education for peace, the free flow of information and the wider participation of women as an integral approach to preventing violence and conflicts, and efforts aimed at the creation of conditions for peace and its consolidation;

3. *Notes* that the report includes:

(*a*) Elements for a draft United Nations declaration on a culture of peace, including the historical basis, the meaning and significance of a culture of peace and the major fields and main actors for its promotion;

(*b*) Elements for a programme of action, including the relevant aims as well as the strategies and actions needed to implement each of those aims;

(*c*) A presentation of the progress of projects within the framework of the transdisciplinary project entitled "Towards a culture of peace";

4. *Requests* the Secretary-General, in coordination with the Director-General of the United Nations Educational, Scientific and Cultural Organization and taking into account the debate in the General Assembly, the specific suggestions of Member States and the comments, if any, of member States in the General Conference of the United Nations Educational, Scientific and Cultural Organization at its twenty-ninth session, to submit a consolidated report containing a draft declaration and programme of action on a culture of peace to the General Assembly at its fifty-third session;

5. *Decides* to include in the provisional agenda of its fifty-third session an item entitled "Culture of peace".

50th plenary meeting
20 November 1997

52/14. Zone of peace and cooperation of the South Atlantic

The General Assembly,

Recalling its resolution 41/11 of 27 October 1986, in which it solemnly declared the Atlantic Ocean, in the region between Africa and South America, the "Zone of peace and cooperation of the South Atlantic",

Recalling also its subsequent resolutions on the matter, including resolution 45/36 of 27 November 1990, in which it reaffirmed the determination of the States of the zone to enhance and accelerate their cooperation in the political, economic, scientific, cultural and other spheres,

Reaffirming that the questions of peace and security and those of development are interrelated and inseparable and that cooperation for peace and development among States of the region will promote the objectives of the zone of peace and cooperation of the South Atlantic,

Aware of the importance that the States of the zone attach to the environment of the region, and recognizing the threat that pollution from any source poses to the marine and coastal environment, its ecological balance and its resources,

1. *Reaffirms* the importance of the purposes and objectives of the zone of peace and cooperation of the South Atlantic as a basis for the promotion of cooperation among the countries of the region;

2. *Calls upon* all States to cooperate in the promotion of the objectives established in the declaration of the zone of peace and cooperation of the South Atlantic and to refrain from any action inconsistent with those objectives and with the Charter of the United Nations and relevant resolutions of the Organization, particularly action which may create or aggravate situations of tension and potential conflict in the region;

3. *Takes note* of the report of the Secretary-General,[40] submitted in accordance with its resolution 51/19 of 14 November 1996;

4. *Recalls* the agreement reached at the third meeting of the States members of the zone, held at Brasilia in 1994, to encourage democracy and political pluralism and, in accordance with the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[41] to promote and defend all human rights and fundamental freedoms and to cooperate towards the achievement of those goals;

5. *Welcomes with satisfaction* the holding of the fourth meeting of the States members of the zone at Somerset West, South Africa, on 1 and 2 April 1996, and takes note of the Final Declaration, the decision on drug trafficking, the decision on the protection of the marine environment and the decision on illegal fishing activities in the zone, adopted at the meeting;

6. *Welcomes* the progress towards the full entry into force of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco),[42] and the conclusion of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba);[43]

7. *Also welcomes* the efforts of the Government of Angola to implement the Lusaka Protocol,[44] expresses its deep concern at the delay in fully implementing the "Acordos de

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[40] A/52/462.

[41] A/CONF.157/24 (Part I), chap. III.

[42] United Nations, *Treaty Series*, vol. 634, No. 9068.

[43] See A/50/426.

[44] See *Official Records of the Security Council, Forty-ninth Year, Supplement for October, November and December 1994*, document S/1994/1441.

Paz"[45] and the Lusaka Protocol, and calls upon the União Nacional para a Independência Total de Angola to fulfil immediately the tasks enumerated in the relevant Security Council resolutions, in particular resolutions 1118 (1997) of 30 June 1997, 1127 (1997) of 28 August 1997 and 1135 (1997) of 29 October 1997;

8. *Reaffirms* its willingness to contribute by all means at its disposal to an effective and lasting peace in Angola;

9. *Urges* the international community and all relevant international and private organizations to fulfil expeditiously their pledges to provide assistance to facilitate the demobilization and social reintegration of ex-combatants, the demining process, the resettlement of displaced persons and the reconstruction of the Angolan economy in order to consolidate the gains in the peace process;

10. *Welcomes with satisfaction* the return of peace to Liberia following the successful conduct of the July elections and the installation of the democratically elected Government in that country, and in that regard expresses its appreciation to the Economic Community of West African States, its Monitoring Group, the United Nations and other members of the international community for their efforts in the peaceful resolution of the Liberian conflict, and calls upon them to support efforts to consolidate peace in Liberia, including a viable framework for the mobilization of resources for reconstruction and development;

11. *Welcomes* the steps taken by the newly elected Government of Liberia towards the implementation of programmes to achieve genuine reconciliation and national unity and the formation of a broad-based government, and its commitment to promoting the protection of human rights and respect for the rule of law;

12. *Commends* the efforts of Member States and humanitarian organizations in rendering humanitarian assistance to Angola and Liberia, and urges them to continue to provide and to increase such assistance;

13. *Expresses concern* at the situation in Sierra Leone, condemns the *coup d'état* against the democratically elected Government by the military on 25 May 1997, and calls upon the military junta in Sierra Leone to fulfil its obligations under the peace plan agreed to at Conakry on 23 October 1997;[46]

14. *Commends* the initiatives of the Economic Community of West African States and of the Security Council in trying to resolve the situation, and calls on the international community to lend its support to those initiatives by faithfully implementing the various measures adopted in order to accelerate the return to peace and stability in Sierra Leone;

15. *Affirms* the importance of the South Atlantic to global maritime and commercial transactions and its determination to preserve the region for all peaceful purposes and activities protected by international law, in particular the United Nations Convention on the Law of the Sea;[47]

16. *Welcomes* the offer by Argentina to host the fifth meeting of the States members of the zone in 1998;

17. *Requests* the relevant organizations, organs and bodies of the United Nations system to render all appropriate assistance that States of the zone may seek in their joint efforts to implement the declaration of the zone of peace and cooperation of the South Atlantic;

18. *Requests* the Secretary-General to keep the implementation of resolution 41/11 and subsequent resolutions on the matter under review and to submit a report to the General Assembly at its fifty-third session, taking into account, *inter alia*, the views expressed by Member States;

19. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Zone of peace and cooperation of the South Atlantic".

50th plenary meeting
20 November 1997

52/15. Proclamation of the year 2000 as the International Year for the Culture of Peace

The General Assembly,

Recalling Economic and Social Council resolution 1997/47 of 22 July 1997,

Proclaims the year 2000 as the International Year for the Culture of Peace.

50th plenary meeting
20 November 1997

52/16. International Year of Thanksgiving, 2000

The General Assembly,

Recalling Economic and Social Council resolution 1997/46 of 22 July 1997,

Proclaims the year 2000 as the International Year of Thanksgiving.

50th plenary meeting
20 November 1997

52/17. International Year of Volunteers, 2001

The General Assembly,

Welcoming the recommendation of the Economic and Social Council contained in its resolution 1997/44 of 22 July 1997,

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[45] Ibid., *Forty-sixth Year, Supplement for April, May and June 1991*, document S/22609.

[46] Ibid., *Fifty-second Year, Supplement for October, November and December 1997*, document S/1997/824, annex II.

[47] *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

Decides to take the action called for in that resolution, *inter alia*, proclaiming the year 2001 as the International Year of Volunteers.

50th plenary meeting
20 November 1997

52/18. Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies

The General Assembly,

Bearing in mind the indissoluble links between the principles enshrined in the Universal Declaration of Human Rights[48] and the foundations of any democratic society,

Recalling the Manila Declaration[49] adopted by the First International Conference of New or Restored Democracies[50] in June 1988,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter of the United Nations, including the promotion and encouragement of respect for human rights and fundamental freedoms for all and other important principles, such as respect for the equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Recalling its resolution 49/30 of 7 December 1994 in which it recognized the importance of the Managua Declaration[51] and Plan of Action[52] adopted by the Second International Conference of New or Restored Democracies in July 1994, as well as its resolutions 50/133 of 20 December 1995 and 51/31 of 6 December 1996,

Taking note of the Universal Declaration on Democracy, adopted by the Inter-Parliamentary Council at its session held at Cairo on 16 September 1997,[53]

Also taking note of the International Conference on Governance for Sustainable Growth and Equity, held in New York from 28 to 30 June 1997,

Noting with satisfaction the holding of the Third International Conference of New or Restored Democracies on Democracy and Development at Bucharest from 2 to 4 September 1997, and the adoption of the document entitled "Progress Review and Recommendations"[54] in which the progress towards democratization and consolidation of democratic institutions was assessed and guidelines, principles and recommendations were addressed to Governments, civil society, the private sector, donor countries and the international community,

Noting in particular the recommendations addressed to the United Nations system and the international financial organizations, contained in that document,[55]

Welcoming the inclusion of a Civil Society Forum in the proceedings of the Bucharest Conference,

Noting the efforts of the United Nations Educational, Scientific and Cultural Organization to encourage education for democracy,

Taking note of the views of Member States expressed in the debate on this question at its forty-ninth, fiftieth, fifty-first and fifty-second sessions,

Bearing in mind that the activities of the United Nations carried out in support of the efforts of Governments to promote and consolidate democracy are undertaken in accordance with the Charter of the United Nations and only at the specific request of the Member States concerned,

Also bearing in mind that democracy, development and respect for all human rights and fundamental freedoms are interdependent and mutually reinforcing and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and on their full participation in all aspects of their lives,

Noting that a considerable number of societies have recently undertaken significant efforts to achieve their social, political and economic goals through democratization and the reform of their economies, pursuits that are deserving of the support and recognition of the international community,

Having considered the report of the Secretary-General[56] and its special focus on policies and principles and on the recent events shaping the emerging framework for intergovernmental action in the field of democratization,

1. *Welcomes* the report of the Secretary-General;[56]

2. *Expresses its appreciation* for the observations and recommendations contained in the report with respect to electoral assistance, strengthening civil society, coordinating United Nations activities in democratization and governance and promoting democracy for the twenty-first century;

3. *Takes note* of the proposal of the Secretary-General that future conferences on democracy be open to all States Members of the United Nations that wish to participate;

4. *Welcomes* the decision of the Third International Conference of New or Restored Democracies to hold the next conference in an African country;

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[48] Resolution 217 A (III).

[49] A/43/538, annex.

[50] Then called the International Conference of Newly Restored Democracies.

[51] A/49/713, annex I.

[52] Ibid., annex II.

[53] A/52/437, annex IV.

[54] A/52/334, annex, appendix.

[55] Ibid., sect. IV.

[56] A/52/513.

5. *Also welcomes* the offer of the Government of Benin to host at Cotonou the Fourth International Conference of New or Restored Democracies;

6. *Commends* the Secretary-General, and through him the United Nations system, for the activities undertaken at the request of Governments to support the efforts to consolidate democracy;

7. *Recognizes* that the Organization has an important role to play in providing timely, appropriate and coherent support to the efforts of Governments to achieve democratization within the context of their development efforts;

8. *Stresses* that activities undertaken by the Organization must be in accordance with the Charter of the United Nations;

9. *Encourages* the Secretary-General to continue to improve the capacity of the Organization to respond effectively to the requests of Member States through coherent, adequate support of their efforts to achieve the goals of good governance and democratization;

10. *Encourages* Member States to promote democratization and to make additional efforts to identify possible steps to support the efforts of Governments to promote and consolidate new or restored democracies;

11. *Invites* the Secretary-General, Member States, the relevant specialized agencies and bodies of the United Nations system, as well as other intergovernmental and non-governmental organizations, to contribute actively to the follow-up process of the Third International Conference of New or Restored Democracies on Democracy and Development;

12. *Requests* the Secretary-General to submit a report to the General Assembly at its fifty-third session on the implementation of the present resolution, including innovative ways and means to enable the Organization to respond effectively and in an integrated manner to requests of Member States for assistance in the field of good governance and democratization;

13. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies".

51st plenary meeting
21 November 1997

52/19. Cooperation between the United Nations and the Economic Cooperation Organization

The General Assembly,

Recalling its resolution 48/2 of 13 October 1993, by which it granted observer status to the Economic Cooperation Organization,

Recalling also that the Charter of the United Nations provides for the existence of regional arrangements or agencies for dealing with such matters as maintenance of international peace and security as are appropriate for regional action, provided that their activities are consistent with the purposes and principles of the United Nations,

Recalling further its resolution 51/21 of 27 November 1996, in which it urged the specialized agencies and other organizations and programmes of the United Nations system to initiate, maintain and increase consultation and programmes with the Economic Cooperation Organization and its associated institutions in the attainment of their objectives,

Bearing in mind that the Treaty of Izmir, signed at Izmir, Turkey, on 12 March 1977, later revised at Ashgabat on 11 May 1996 and signed at Izmir on 14 September 1996, created a permanent body for intraregional cooperation, consultation and coordination in order to enhance economic, social and cultural development, and bearing in mind also the measures being taken by the Economic Cooperation Organization aimed at the reorganization and restructuring of the organization,

Convinced that the maintenance and further strengthening of the cooperation between the United Nations system and the Economic Cooperation Organization promote the implementation of the goals and principles of those organizations,

1. *Takes note* of the decision of the heads of State and Government of the States members of the Economic Cooperation Organization welcoming the adoption of General Assembly resolution 51/21 on cooperation between the two organizations and endorsing the cooperative arrangements entered into by the Economic Cooperation Organization with various entities of the United Nations system for joint efforts towards the implementation of the economic projects and programmes of the Economic Cooperation Organization;

2. *Notes with appreciation* the report of the Secretary-General on the implementation of resolution 51/21,[57] and invites the Secretary-General of the United Nations to continue his efforts, in consultation with the Secretary-General of the Economic Cooperation Organization, to promote and expand cooperation and coordination between the two secretariats in order to increase the capacity of the two organizations to attain their common objectives;

3. *Notes with satisfaction* the emphasis placed in the Ashgabat Declaration, issued by the Extraordinary Summit Meeting of the Heads of State and Government of the States members of the Economic Cooperation Organization, held at Ashgabat on 13 and 14 May 1997,[58] on the meaningful development of economic cooperation in priority areas of transport and communications and energy with a view to facilitating the access of the landlocked States members of the Economic Cooperation Organization to world markets;

4. *Welcomes* the continuation of efforts towards further consolidation of interregional consultations and exchange of views on issues of common concern through such useful

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[57] A/52/313.

[58] A/52/332, annex.

forums as the annual meeting of the executive heads of Asia's subregional organizations and the Economic and Social Commission for Asia and the Pacific, which held its third meeting at Tehran in May 1997;

5. *Urges* the specialized agencies and other organizations and programmes of the United Nations system to continue and increase consultation and cooperation with the Economic Cooperation Organization and its associated institutions in the attainment of their objectives;

6. *Invites* the relevant international financial institutions to give appropriate consideration to regional development plans, including projects and programmes of the Economic Cooperation Organization, in order to extend their assistance in the implementation of these programmes and, in particular, to the establishment of a comprehensive transport and communications infrastructure in the region of the Economic Cooperation Organization that would provide the landlocked countries with greater mobility to promote interregional trade and to establish mutually beneficial economic and commercial interaction with other regions;

7. *Invites* the Economic and Social Commission for Asia and the Pacific, as the regional arm of the United Nations, to assume a more active role in promoting cooperation with the Economic Cooperation Organization, and reiterates in this regard its request made in paragraph 5 of resolution 51/21 in the context of the report to be submitted by the Executive Secretary of the Commission to the Commission at its fifty-fourth session, in 1998;

8. *Takes note with satisfaction* of the fact that it is proposed to introduce the Advance Cargo Information System and the Automated System for Customs Data of the United Nations Conference on Trade and Development, which are compatible with other systems, in the States members of the Economic Cooperation Organization, with the technical assistance of, *inter alia*, the Conference;

9. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report on the implementation of the present resolution;

10. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Cooperation between the United Nations and the Economic Cooperation Organization".

51st plenary meeting
21 November 1997

52/20. Cooperation between the United Nations and the Organization of African Unity

The General Assembly,

Having considered the report of the Secretary-General on cooperation between the United Nations and the Organization of African Unity,[59]

Recalling the provisions of Chapter VIII of the Charter of the United Nations on regional arrangements or agencies, which set forth the basic principles governing their activities and establishing the legal framework for cooperation with the United Nations in the area of the maintenance of international peace and security, as well as resolution 49/57 of 9 December 1994, the annex to which contains the Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements or Agencies in the Maintenance of International Peace and Security,

Recalling also the agreement of 15 November 1965 on cooperation between the United Nations and the Organization of African Unity as updated and signed on 9 October 1990 by the Secretaries-General of the two organizations,

Recalling further its resolutions on the enhancement of cooperation between the United Nations and the Organization of African Unity, in particular resolutions 43/12 of 25 October 1988, 43/27 of 18 November 1988, 44/17 of 1 November 1989, 45/13 of 7 November 1990, 46/20 of 26 November 1991, 47/148 of 18 December 1992, 48/25 of 29 November 1993, 49/64 of 15 December 1994, 50/158 of 21 December 1995 and 51/151 of 13 December 1996,

Recalling that, in its resolutions 46/20, 47/148 and 48/25, it, *inter alia*, urged the Secretary-General and the relevant agencies of the United Nations system to extend their support for the establishment of the African Economic Community,

Recalling also its resolution 48/214 of 23 December 1993 on the implementation of the United Nations New Agenda for the Development of Africa in the 1990s,

Taking note of the resolutions, decisions and declarations adopted by the Council of Ministers of the Organization of African Unity at its sixty-sixth ordinary session, held at Harare from 28 to 31 May 1997,[60] and by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-third ordinary session, held at Harare from 2 to 4 June 1997,[61]

Noting the holding of the ministerial meeting of the Security Council on the situation in Africa on 25 September 1997 and the acceptance of the symbiotic relationship between peace and development,

Considering the important statement made by the Chairman of the Assembly of Heads of State and Government of the Organization of African Unity before the General Assembly on 24 September 1997,[62]

Considering also the important statements made by the Chairman of the Assembly of Heads of State and Government and the Secretary-General of the Organization of African

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[59] A/52/374.

[60] A/52/465, annex I.

[61] Ibid., annex II.

[62] See *Official Records of the General Assembly, Fifty-second Session, Plenary Meetings*, 9th meeting (A/52/PV.9), and corrigendum.

Unity before the ministerial meeting of the Security Council on 25 September 1997,[63]

Mindful of the need for continued and closer cooperation between the United Nations and its specialized agencies and the Organization of African Unity, in particular in the political, economic, social, technical, cultural and administrative fields,

Noting that the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity is developing its capacity in preventive diplomacy,

Noting also the efforts of the Organization of African Unity, and the assistance of the United Nations, to promote the peaceful settlement of disputes and conflicts in Africa and the harmonious continuation of the process of democratization,

Deeply concerned that, despite the policies of reform being implemented by most African countries, their economic situation remains critical and African recovery and development continue to be severely hindered by the persistence of lower-level commodity prices, the heavy debt burden and the paucity of funding possibilities,

Aware of the efforts being made by the Organization of African Unity and its member States in the area of economic integration and of the need to accelerate the process of implementation of the African Economic Community,

Deeply concerned about the gravity of the situation of refugees and displaced persons in Africa and the urgent need for increased international assistance to help refugees and, subsequently, African countries of asylum,

Acknowledging the assistance already rendered by the international community, in particular to refugees, displaced persons and African countries of asylum,

Recognizing the importance of developing and maintaining a culture of peace, tolerance and harmonious relationships in order to contribute to the prevention of conflicts and wars in Africa,

1. *Takes note* of the report of the Secretary-General on cooperation between the United Nations and the Organization of African Unity[59] and of his efforts to strengthen that cooperation and to implement the relevant resolutions;

2. *Notes with appreciation* the continued and increasing participation of the Organization of African Unity in the work of the United Nations and the specialized agencies and its constructive contribution to that work;

3. *Calls upon* the United Nations organs, in particular the Security Council and the Economic and Social Council, to continue to involve the Organization of African Unity closely in all their activities concerning Africa;

4. *Welcomes* the initiative of the ministerial meeting of the Security Council on the situation in Africa, which took place on 25 September 1997, and awaits the report of the Secretary-General on the sources of conflict in Africa;

5. *Also welcomes* the fact that both the United Nations and the Organization of African Unity continue to strengthen and broaden their cooperation in measures to prevent and resolve conflict in Africa, and in this regard invites the United Nations to provide the Organization of African Unity with the necessary support for the consolidation and promotion of a culture of peace, tolerance and harmonious relationships in Africa;

6. *Calls upon* the United Nations to coordinate its efforts and to cooperate with the Organization of African Unity in the context of the pacific settlement of disputes and the maintenance of international peace and security in Africa, as provided for under Chapter VIII of the Charter of the United Nations;

7. *Commends* the efforts of the Organization of African Unity to strengthen its capacity in the field of conflict resolution and to enhance its Mechanism for Conflict Prevention, Management and Resolution in Africa;

8. *Also commends* the United Nations and the Organization of African Unity for their ongoing cooperative activities in the resolution of conflicts in Africa, and stresses the need to enhance and strengthen the existing pattern of exchange of information and consultations, especially in the areas of preventive diplomacy, peacemaking and peacekeeping operations;

9. *Invites* the United Nations to assist the Organization of African Unity in strengthening its institutional and operational capacity in the prevention, management and resolution of conflicts in Africa, in particular in the following areas:

(*a*) Establishment of an early-warning system;

(*b*) Technical assistance and training of personnel, including a staff exchange programme;

(*c*) Exchange and coordination of information between their respective early-warning systems;

(*d*) Logistical support;

(*e*) Mobilization of financial support;

10. *Urges* the United Nations to enhance its cooperation with, and facilitate the participation of, the Organization of African Unity in its preventive diplomacy, peacemaking and peacekeeping operations and in joint fact-finding missions in Africa, by providing technical assistance and secondments and assisting in the mobilization of financial and logistical support;

11. *Also urges* the United Nations to encourage donor countries, in consultation with the Organization of African Unity, to provide adequate funding and training for African countries in their efforts to enhance their peacekeeping capabilities, with a view to enabling those countries to participate actively in peacekeeping operations within the framework of the United Nations;

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[63] See S/PV.3819. For the final text, see *Official Records of the Security Council, Fifty-second Year*, 3819th meeting.

12. *Notes with appreciation* the assistance provided by the United Nations and its agencies to African countries in the context of the democratization process;

13. *Urges* the United Nations to continue to support the Organization of African Unity in its efforts to manage a peaceful democratic transition in Africa, in particular in the areas of education for democracy, election observation, human rights and freedom, including technical support to the African Commission on Human and Peoples' Rights;

14. *Urges* all Member States and regional and international organizations, in particular those of the United Nations system, as well as non-governmental organizations, to provide the necessary and appropriate economic, financial and technical assistance to refugees and displaced persons, as well as to the African countries of asylum, taking into account recent disquieting developments in this respect;

15. *Commends* the continued efforts of the Organization of African Unity to promote multilateral cooperation and economic integration among African States, and requests the United Nations agencies to continue to support those efforts;

16. *Stresses* that the economic, technical and development assistance provided to Africa by the organizations of the United Nations system must continue, and emphasizes the current need for those organizations to accord priority to Africa in this field;

17. *Urges* the Secretary-General, Member States, regional and international organizations, in particular those of the United Nations system, and non-governmental organizations to extend their support to the operations of the African Economic Community and to assist in economic integration and cooperation in Africa, in particular the strengthening of the regional economic communities, the preparation of the protocols to the Treaty Establishing the African Economic Community, its popularization and the strengthening of its institutional support;

18. *Requests* the agencies of the United Nations system working in Africa to include in their programmes at the national and regional levels activities that will enhance regional cooperation in their respective areas and to facilitate the realization of the objectives of the Treaty Establishing the African Economic Community;

19. *Calls upon* the United Nations agencies to intensify the coordination of their regional programmes in Africa in order to create interlinkages among them and to ensure the harmonization of their programmes with those of the African regional and subregional economic organizations;

20. *Emphasizes* the urgency of the need to adopt appropriate measures to ensure the effective implementation of the United Nations New Agenda for the Development of Africa in the 1990s, in particular regarding (*a*) economic reforms, including the effective mobilization and efficient utilization of domestic resources, (*b*) promotion of the private sector and foreign direct investment, (*c*) intensification of the democratic process and the strengthening of civil society, (*d*) environment and development, (*e*) resource flows, (*f*) solution of Africa's debt problem, (*g*) trade facilitation and market access, (*h*) diversification of African economies, (*i*) improvement of physical and institutional infrastructure and social and human resource development and (*j*) women in development;

21. *Urges* all States and international subregional and regional organizations actively to implement the recommendations of the Ad Hoc Committee of the Whole of the General Assembly for the Mid-term Review of the United Nations New Agenda for the Development of Africa in the 1990s, as adopted by the General Assembly at its fifty-first session;

22. *Invites* the Secretary-General to associate closely the Organization of African Unity with the follow-up and monitoring of the implementation of the United Nations New Agenda for the Development of Africa in the 1990s, including the conduct of the final review of its implementation in the year 2002;

23. *Invites* the Secretary-General of the United Nations to work closely with the Secretary-General of the Organization of African Unity on the implementation of the United Nations New Agenda for the Development of Africa in the 1990s, and requests that it be given prominence at the annual meeting of the two organizations;

24. *Recalls* its resolution 48/214, in paragraph 10 of which it invited the Secretary-General to follow up and promote the responses of the United Nations system and the international community to the development concerns of Africa, as expressed in the United Nations New Agenda for the Development of Africa in the 1990s;

25. *Takes note with appreciation* of the recommendations of the meetings between the secretariats of the Organization of African Unity and the United Nations, and requests the convening of a follow-up meeting in 1998 to review and evaluate the progress made in the implementation of the recommendations agreed upon at their last meeting and to adopt new and effective joint action;

26. *Calls upon* the relevant organs of the United Nations system to ensure the effective, fair and equitable representation of Africa at senior and policy levels at their respective headquarters and in their regional field operations;

27. *Requests* the relevant organs of the United Nations system to continue to assist the Organization of African Unity in strengthening its capacity for information gathering, analysis and dissemination through the training of personnel and the mobilization of technical and financial assistance;

28. *Requests* the Secretary-General to strengthen and improve follow-up, monitoring and evaluation of the implementation of the United Nations New Agenda for the Development of Africa in the 1990s;

29. *Also requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution and on the

development of cooperation between the Organization of African Unity and the organizations of the United Nations system.

52nd plenary meeting
24 November 1997

52/21. Building a peaceful and better world through sport and the Olympic ideal

The General Assembly,

Recalling its resolution 50/13 of 7 November 1995, in which it decided to include in the provisional agenda of its fifty-second session the item entitled "Building a peaceful and better world through sport and the Olympic ideal" and to consider this item every two years in advance of each Summer and Winter Olympic Games,

Recalling also its resolution 48/11 of 25 October 1993, which, *inter alia*, revived the ancient Greek tradition of *ekecheiria* or "Olympic Truce", calling for all hostilities to cease during the Games, thereby mobilizing the youth of the world in the cause of peace,

Recognizing the valuable contribution that the appeal launched by the International Olympic Committee for an Olympic Truce, with which the National Olympic Committees of the Member States are associated, could make towards advancing the purposes and principles of the Charter of the United Nations,

Taking into account resolution CM/Res.1608 (LXII), adopted by the Council of Ministers of the Organization of African Unity at its sixty-second ordinary session, held at Addis Ababa from 21 to 23 June 1995,[64] and endorsed by the Assembly of Heads of State and Government of that organization, which supports the appeal for an Olympic Truce,

Reaffirming that the Olympic ideal promotes international understanding, particularly among the youth of the world, through sport and culture in order to advance the harmonious development of humankind,

Noting with satisfaction the increasing number of joint endeavours of the International Olympic Committee and the United Nations system, for example in the fields of development, humanitarian assistance, protection of the environment, health promotion and education, in which the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees, the United Nations Environment Programme, the World Health Organization and the United Nations Educational, Scientific and Cultural Organization have participated,

1. *Urges* Member States to observe the Olympic Truce during the XVIII Olympic Winter Games, which will be held in Nagano, Japan, from 7 to 22 February 1998, the vision of which is to be a link to the twenty-first century, inspiring the search for wisdom for the new era, respect for the beauty and bounty of nature and the furtherance of peace and goodwill;

2. *Takes note* of the idea of the Olympic Truce, as dedicated in ancient Greece to the spirit of fraternity and understanding between peoples, and urges Member States to take the initiative to abide by the Olympic Truce, individually and collectively, and to pursue in conformity with the purposes and principles of the Charter of the United Nations the peaceful settlement of all international conflicts;

3. *Calls upon* all Member States to cooperate with the International Olympic Committee in its efforts to promote the Olympic Truce;

4. *Requests* the Secretary-General to promote the observance of the Olympic Truce among Member States, drawing the attention of world public opinion to the contribution such a truce would make to the promotion of international understanding and the preservation of peace and goodwill, and to cooperate with the International Olympic Committee in the realization of this objective;

5. *Welcomes* the decision of the International Olympic Committee to fly the United Nations flag at all competition sites of the Olympic Games;

6. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Building a peaceful and better world through sport and the Olympic ideal" and to consider this item before the Games of the XXVII Olympiad in Sydney, Australia, in the year 2000.

54th plenary meeting
25 November 1997

52/22. Cooperation between the United Nations and the Organization for Security and Cooperation in Europe

The General Assembly,

Recalling its resolution 48/5 of 13 October 1993 on observer status for the Conference on Security and Cooperation in Europe and the framework for cooperation and coordination between the United Nations and the Conference on Security and Cooperation in Europe[65] signed on 26 May 1993, as well as its resolutions 50/87 of 18 December 1995 and 51/57 of 12 December 1996 on cooperation between the two organizations,

Recalling also the declaration at the 1992 Helsinki Summit by the heads of State or Government of the participating States of the Conference on Security and Cooperation in Europe of their understanding that the Conference is a regional arrangement in the sense of Chapter VIII of the Charter of the United Nations and as such provides an important link between European and global security,[66]

Acknowledging the increasing contribution of the Organization for Security and Cooperation in Europe to the establishment and maintenance of international peace and security in its region through activities in early warning and preventive diplomacy, including through the activities of the High Commissioner on National Minorities, crisis management, arms control and disarmament, post-crisis stabilization and rehabilitation measures, and its efforts in supporting the economic dimension, as well as its crucial role in the human dimension,

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[64] A/50/647, annex I.

[65] See A/48/185, annex II.

[66] See A/47/361-S/24370, annex; see *Official Records of the Security Council, Forty-seventh Year, Supplement for July, August and September 1992*, document S/24370.

Recalling the special ties between the Organization for Security and Cooperation in Europe and the Mediterranean Partners for Cooperation,

Underlining the continued importance of enhanced coordination and cooperation between the United Nations and the Organization for Security and Cooperation in Europe,

1. *Welcomes* the report of the Secretary-General;[67]

2. *Also welcomes* the further improvement of cooperation and coordination in the past year, as well as progress in common work in the field between the United Nations and the Organization for Security and Cooperation in Europe;

3. *Further welcomes* the Summit Declaration and the decisions adopted by the heads of State or Government of the Organization for Security and Cooperation in Europe on 3 December 1996 at Lisbon, in particular the Lisbon Declaration on a Common and Comprehensive Security Model for Europe for the Twenty-first Century, including the decision to define in a platform for cooperative security modalities for cooperation between the Organization for Security and Cooperation in Europe and other security organizations, and the ongoing work within the framework of the Organization for Security and Cooperation in Europe, as well as the commitment of participating States to consider developing a charter on European security on the basis of the Lisbon Declaration;

4. *Notes with appreciation* decision 193 of 5 November 1997 of the Permanent Council of the Organization for Security and Cooperation in Europe to establish, under the aegis of the Permanent Council, a representative on freedom of the media of the Organization for Security and Cooperation in Europe;

5. *Also notes with appreciation* decision 194 of 5 November 1997 of the Permanent Council of the Organization for Security and Cooperation in Europe to establish within the secretariat of that organization the position of a coordinator of economic and environmental activities, which, *inter alia*, will enhance interaction by the Organization for Security and Cooperation in Europe with relevant international economic organizations, financial institutions and organizations active in the environmental field;

6. *Commends* the Organization for Security and Cooperation in Europe for the fulfilment, in cooperation with the United Nations, of the role assigned to it by the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto[68] (collectively the "Peace Agreement"), in particular for:

(*a*) The successful supervision of the preparation and the conduct of the municipal elections on 13 and 14 September 1997;

(*b*) The monitoring, together with other international organizations, of the development of human rights standards;

(*c*) The agreements concluded under its auspices on confidence-building and security-building measures, as well as on subregional arms control;

(*d*) The efforts to contribute to the building of democratic structures and to the fostering of civil society, including the promotion of human rights standards, and welcomes in this context further cooperation between the United Nations and the Organization for Security and Cooperation in Europe;

7. *Welcomes* the readiness of the Organization for Security and Cooperation in Europe to continue to contribute to a peaceful settlement in and around Bosnia and Herzegovina;

8. *Welcomes also* decision 190 of 26 September 1997 of the Permanent Council of the Organization for Security and Cooperation in Europe to supervise the preparation and conduct of elections in Republika Srpska;

9. *Underlines* the responsibility of the parties to speedy and full implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto;

10. *Underlines also* the responsibility of the relevant authorities of Bosnia and Herzegovina to implement fully the results of the municipal elections on 13 and 14 September 1997;

11. *Welcomes* the close cooperation between the Organization for Security and Cooperation in Europe and the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium, especially as regards confidence-building and reconciliation, as well as the strengthening of democratic institutions, processes and mechanisms at the municipal and district or county levels with the aim of achieving a peaceful reintegration and a safe return of refugees and displaced persons in the region, and notes that a continued high-quality police monitoring presence would make an important contribution to the success of the international efforts in that regard;

12. *Welcomes also* decision 176 of 26 June 1997 of the Permanent Council of the Organization for Security and Cooperation in Europe, to extend the mandate of the reinforced Organization for Security and Cooperation in Europe Mission in Croatia until 31 December 1998;

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[67] A/52/450.

[68] A/50/790-S/1995/999; see *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/999.

13. *Commends* the Organization for Security and Cooperation in Europe for the fulfilment of the role assigned to it in Albania in decision 160 of 27 March 1997 of the Permanent Council of the Organization for Security and Cooperation in Europe within the security environment provided by the multinational protection force, authorized by the Security Council in its resolutions 1101 (1997) of 28 March 1997 and 1114 (1997) of 19 June 1997, in particular for:

(*a*) The establishment of a coordinating framework for the international efforts in Albania;

(*b*) The provision, in cooperation with other international organizations, of advice and assistance within its field of experience;

(*c*) The success of its assistance in the preparation and the conduct, as well as the monitoring, of the elections on 29 June and 6 July 1997;

14. *Takes note* of decision 185 of 18 September 1997 of the Permanent Council of the Organization for Security and Cooperation in Europe to establish an Advisory and Monitoring Group of the Organization for Security and Cooperation in Europe in Belarus;

15. *Welcomes* the cooperation between the Organization for Security and Cooperation in Europe and the United Nations in the peace process in Georgia, including through the Human Rights Office in Sukhumi;

16. *Fully supports* the activities of the Organization for Security and Cooperation in Europe to achieve a peaceful solution to the conflict in and around the Nagorny Karabakh region of Azerbaijan, and welcomes cooperation between the United Nations and the Organization for Security and Cooperation in Europe in this regard;

17. *Welcomes* the continued close cooperation between the United Nations and the Organization for Security and Cooperation in Europe in Tajikistan, as well as the signing on 27 June 1997 of the General Agreement on the Establishment of Peace and National Accord in Tajikistan,[69] and calls upon the parties to implement fully the General Agreement;

18. *Requests* the Secretary-General to continue exploring with the Chairman-in-Office and the Secretary-General of the Organization for Security and Cooperation in Europe possibilities for further enhancement of cooperation, information exchange and coordination between the United Nations and the Organization for Security and Cooperation in Europe, in accordance with Chapter VIII of the Charter of the United Nations and on the basis of the framework for cooperation and coordination between the United Nations and the Conference on Security and Cooperation in Europe,[65] signed on 26 May 1993, avoiding as much as possible duplication and overlapping in those areas where both organizations have their own respective roles to play;

19. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Cooperation between the United Nations and the Organization for Security and Cooperation in Europe", and requests the Secretary-General to submit to the General Assembly at its fifty-third session a report on cooperation between the United Nations and the Organization for Security and Cooperation in Europe in implementation of the present resolution.

55th plenary meeting
25 November 1997

52/23. Multilingualism

The General Assembly,

Recalling its resolution 50/11 of 2 November 1995 on multilingualism,

1. *Takes note* of the report of the Secretary-General;[70]

2. *Requests* the Secretary-General to submit to it at its fifty-fourth session a comprehensive report on the implementation of resolution 50/11;

3. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Multilingualism".

55th plenary meeting
25 November 1997

52/24. Return or restitution of cultural property to the countries of origin

The General Assembly,

Recalling its resolutions 3026 A (XXVII) of 18 December 1972, 3148 (XXVIII) of 14 December 1973, 3187 (XXVIII) of 18 December 1973, 3391 (XXX) of 19 November 1975, 31/40 of 30 November 1976, 32/18 of 11 November 1977, 33/50 of 14 December 1978, 34/64 of 29 November 1979, 35/127 and 35/128 of 11 December 1980, 36/64 of 27 November 1981, 38/34 of 25 November 1983, 40/19 of 21 November 1985, 42/7 of 22 October 1987, 44/18 of 6 November 1989, 46/10 of 22 October 1991, 48/15 of 2 November 1993 and 50/56 of 11 December 1995,

Recalling also the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property[71] adopted on 14 November 1970 by the General Conference of the United Nations Educational, Scientific and Cultural Organization,

Welcoming the Medellin Declaration for Cultural Diversity and Tolerance and the Plan of Action on Cultural Cooperation adopted at the first Meeting of the Ministers of

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[69] See A/52/219-S/1997/510, annex I; see *Official Records of the Security Council, Fifty-second Year, Supplement for July, August and September 1997*, document S/1997/510.

[70] A/52/577.

[71] United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Sixteenth Session*, vol. 1, *Resolutions*, p. 135.

Culture of the Movement of Non-Aligned Countries, held at Medellin, Colombia, on 4 and 5 September 1997,

Taking note with satisfaction of the report of the Secretary-General submitted in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization,[72]

Aware of the importance attached by the countries of origin to the return of cultural property which is of fundamental spiritual and cultural value to them, so that they may constitute collections representative of their cultural heritage,

1. *Commends* the United Nations Educational, Scientific and Cultural Organization and the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation on the work they have accomplished, in particular through the promotion of bilateral negotiations, for the return or restitution of cultural property, the preparation of inventories of movable cultural property, the reduction of illicit traffic in cultural property and the dissemination of information to the public;

2. *Reaffirms* that the restitution to a country of its objets d'art, monuments, museum pieces, archives, manuscripts, documents and any other cultural or artistic treasures contributes to the strengthening of international cooperation and to the preservation and flowering of universal cultural values through fruitful cooperation between developed and developing countries;

3. *Requests* the Secretary-General, in collaboration with the United Nations Educational, Scientific and Cultural Organization, to continue to develop all possibilities for bringing about the attainment of the objectives of resolution 50/56;

4. *Also requests* the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to submit to the General Assembly at its fifty-fourth session a report on the implementation of the present resolution;

5. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Return or restitution of cultural property to the countries of origin".

55th plenary meeting
25 November 1997

52/25. Implementation of the outcome of the World Summit for Social Development

The General Assembly,

Recalling its resolutions 46/139 of 17 December 1991, 47/92 of 16 December 1992, 48/100 of 20 December 1993, 50/161 of 22 December 1995, 50/227 of 24 May 1996 and 51/202 of 17 December 1996,

Recalling also Economic and Social Council decision 1991/230 of 30 May 1991, resolutions 1992/27 of 30 July 1992, 1995/60 of 28 July 1995, 1996/7 of 22 July 1996, 1996/36 of 26 July 1996 and 1997/56 of 23 July 1997 and agreed conclusions 1995/1 of 28 July 1995, 1996/1 of 26 July 1996 and 1997/1 of 25 July 1997,

1. *Reaffirms* the commitments adopted by heads of State and Government at the World Summit for Social Development, contained in the Copenhagen Declaration on Social Development[73] and the Programme of Action,[74] and their pledge to give the highest priority to national, regional and international policies and actions for the promotion of social progress, social justice, the betterment of the human condition and social integration, based on full participation by all;

2. *Emphasizes* the need to create a framework for action to place people at the centre of development and direct economies to meet human needs more effectively;

3 *Stresses* the need for renewed and massive political will at the national, regional and international levels to invest in people and their well-being in order to achieve the objectives of social development;

4. *Emphasizes* that democracy, respect for all human rights and fundamental freedoms, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society, are an essential part of the necessary foundations for the realization of social and people-centred sustainable development;

5. *Also emphasizes* that an equitable and favourable national and international economic, political, social and legal environment, in accordance with the provisions of chapter I of the Programme of Action of the World Summit for Social Development, is essential for the realization of social and people-centred sustainable development;

6. *Stresses* that social development is clearly linked to the development of peace, freedom, stability and security, both nationally and internationally;

7. *Takes note* of the reports of the Secretary-General on the implementation of the outcome of the World Summit for Social Development[75] and on the observance of the International Year for the Eradication of Poverty (1996) and recommendations for the rest of the first United Nations Decade for the Eradication of Poverty;[76]

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[72] A/52/211.

[73] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[74] Ibid., annex II.

[75] A/52/305.

[76] A/52/573.

Critical importance of national action and international cooperation for social development

8. *Stresses* that social development and the implementation of the Programme of Action of the Summit are primarily the responsibility of Governments and that international cooperation and assistance are essential for their full implementation;

9. *Notes with satisfaction* the initiatives and actions taken by Governments towards the implementation of the commitments made at the Summit;

10. *Reiterates its call* to Governments to define and implement time-bound goals and targets for reducing overall poverty and eradicating absolute poverty, expanding employment and reducing unemployment and enhancing social integration, within each national context;

11. *Urges* national Governments to formulate or strengthen comprehensive cross-sectoral strategies for implementing the Summit outcome and national strategies for social development;

12. *Acknowledges* the key role of developing country actors and institutions in creating and implementing effective programmes to maximize the positive impact of investments in social development;

13. *Stresses* the importance of putting full employment at the centre of policy-making in conjunction with other goals, while emphasizing the need for enhancing employment opportunities for women and for groups with specific needs;

14. *Reiterates the call* of the Summit for Governments to assess on a regular basis national progress towards implementing the outcome of the Summit, and encourages them to submit such information on a voluntary basis to the Commission for Social Development, which serves, *inter alia*, as a forum for the exchange of national experiences;

15. *Stresses its solidarity* with people living in poverty in all countries, and reaffirms that the satisfaction of basic human needs is an essential element of poverty eradication, those needs being closely interrelated and comprising nutrition, health, water and sanitation, education, employment, housing and equal opportunities for participation in political, economic, cultural and social life;

16. *Reaffirms* the need to strengthen, in a spirit of partnership, international, regional and subregional cooperation for social development and implementing the outcome of the Summit;

17. *Calls upon* all Governments and the United Nations system, in particular the relevant funds, programmes and agencies, to promote an active and visible policy of mainstreaming a gender perspective and to use gender analysis as a tool for the integration of a gender dimension into the planning and implementation of policies, strategies and programmes on social development;

Mobilization of financial resources

18. *Recognizes* that the implementation of the Declaration and Programme of Action will require the mobilization of financial resources at the national and international levels, as set out in commitments 8 and 9 of the Declaration and paragraphs 87 to 93 of the Programme of Action;

19. *Recognizes also* that the implementation of the Declaration and Programme of Action in developing countries, in particular in Africa and the least developed countries, needs additional financial resources from all sources and more effective development cooperation and assistance;

20. *Calls upon* all countries to develop economic policies that promote and mobilize domestic savings and attract external resources for productive investment and to seek innovative sources of funding, both public and private, for social programmes, while ensuring their effective utilization, and in the budgetary process, to ensure transparency and accountability in the use of public resources and to give priority to providing and improving basic social services;

21. *Takes note* of the report of the Secretary-General on new and innovative ideas for generating funds for globally agreed commitments and priorities;[77]

22. *Welcomes* the holding of the Micro-credit Summit in Washington, D.C., from 2 to 4 February 1997, and the adoption of the Micro-credit Declaration and Plan of Action, and encourages its full implementation as appropriate by all concerned;

23. *Calls upon* the international community, including international financial institutions, to implement fully and effectively all initiatives that will contribute to a durable solution to the debt problems of developing countries, in particular African countries and the least developed countries, and thus to support their efforts to achieve social development and, in this context, reaffirms the need to make further progress towards the implementation of the recommendations of the World Summit for Social Development by the Bretton Woods institutions, including the Heavily Indebted Poor Countries Debt Initiative;

24. *Reaffirms* the need to continue to evaluate the impact of structural adjustment programmes by, *inter alia*, integrating the social dimensions involved and, in this context, welcomes the recent initiatives of the World Bank, including the Structural Adjustment Participatory Review Initiative, which brings together a tripartite team in a number of developing countries and countries with economies in transition to review at the national level structural adjustment experiences and to identify problems;

25. *Also reaffirms* that a strong political commitment by the international community is needed to implement strengthened international cooperation for development, including social development, that the mobilization of

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[77] A/52/203-E/1997/85.

domestic and international resources for development from all sources is an essential component for the comprehensive and effective implementation of development, that enhanced efforts should be made for the mobilization and provision of new and additional financial resources for the development of developing countries and that, despite an increase in private capital flows, official development assistance remains an essential source of external funding, and notes that developed countries reaffirm the commitments undertaken to fulfil as soon as possible the agreed United Nations targets of 0.7 per cent of their gross national product for overall official development assistance and 0.15 per cent of the gross national product for official development assistance for the least developed countries, that donor countries that have met the 0.15 per cent target will seek to undertake to reach 0.20 per cent, and that further efforts are also needed to improve the effectiveness of official development assistance and to focus such aid on the poorest countries;

26. *Further reaffirms* the importance of agreeing on a mutual commitment between interested developed and developing country partners to allocate, on average, 20 per cent of official development assistance and 20 per cent of the national budget, respectively, to basic social programmes, and recalls the outcome of the meeting held at Oslo from 23 to 25 April 1996,[78] which reaffirmed that promoting access for all to basic social services was essential for sustainable development and should be an integral part of any strategy to overcome poverty;

27. *Recognizes* the necessity of providing appropriate technical cooperation and other forms of assistance to the countries with economies in transition, as set out in the provisions of the Declaration and Programme of Action;

Involvement of civil society and other actors

28. *Reaffirms* the need for effective partnership and cooperation between Governments and the relevant actors of civil society, the social partners, the major groups as defined in Agenda 21,[79] including non-governmental organizations and the private sector, in the implementation of and follow-up to the Declaration and Programme of Action of the World Summit for Social Development, and for ensuring their involvement in the planning, elaboration, implementation and evaluation of social policies at the national level;

29. *Encourages* non-governmental organizations to participate in the work of the Commission for Social Development, in accordance with Economic and Social Council resolution 1996/31 of 25 July 1996 and decisions 1996/315 of 14 November 1996 and 1997/298 of 23 July 1997, and in the implementation process related to the Summit to the maximum extent possible;

The role of the United Nations system

30. *Recalls* Economic and Social Council resolution 1996/7, by which the Council decided that the Commission for Social Development, as a functional commission of the Council, shall have the primary responsibility for the follow-up to and review of the implementation of the outcome of the Summit;

31. *Invites* Governments to support the work of the Commission, including through the participation of high-level representatives on social development issues and policies;

32. *Takes note* of the request made by the Commission to the Secretary-General, in the framework of United Nations system-wide coordination, to assist the Commission and the Council to broaden and deepen the policy debate on employment issues;

33. *Welcomes* in this regard resolution 35/2 adopted by the Commission on the priority theme "Productive employment and sustainable livelihoods" and the agreed conclusions contained therein,[80] in which the Commission recognized, *inter alia*, the importance of full, productive, appropriately and adequately remunerated, and freely chosen employment as a central objective of economic and social policies, defining time-bound goals and targets for expanding employment and reducing unemployment, and preparing policies for the achievement of those goals and targets;

34. *Also welcomes* agreed conclusions 1997/1, adopted by the Economic and Social Council at its high-level segment on the theme "Fostering an enabling environment for development: financial flows, including capital flows, investment and trade" and calls for their implementation;

35. *Further welcomes* Economic and Social Council resolution 1997/60 of 25 July 1997, entitled "Eradication of poverty", and the decision of the Council therein to carry out in 1999 an overall review of the theme of poverty eradication in order to contribute to the special session of the General Assembly in 2000 for the overall review of the Summit and to the five-year review of the Beijing Platform for Action;[81]

36. *Welcomes* Economic and Social Council resolution 1997/61 of 25 July 1997, on integrated and coordinated implementation and follow-up of the major United Nations international conferences and summits, in which the Council reaffirmed the need to continue to ensure the harmonization and coordination of the agendas and work programmes of the functional commissions by promoting a clearer division of labour among them and by providing clear policy guidance to them;

37. *Welcomes* Economic and Social Council decision 1997/302 of 25 July 1997 on the convening of a session of the

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[78] See A/51/140, annex.

[79] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[80] *Official Records of the Economic and Social Council, 1997, Supplement No. 6*, chap. I, sect. D (E/1997/26-E/CN.5/1997/11).

[81] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

Council in 1998 to consider further the theme of integrated and coordinated implementation and follow-up of the major United Nations international conferences and summits;

38. *Renews its call* to all relevant organs, organizations and bodies of the United Nations system to be involved in the follow-up action to the Summit, and invites funds and programmes, specialized agencies and related organizations of the United Nations system to strengthen and adjust their activities, programmes and medium-term strategies, as appropriate, to take into account the follow-up to the Summit;

39. *Takes note with appreciation* of the work of the inter-agency task forces established by the Administrative Committee on Coordination, as contained in the report of the Secretary-General on integrated and coordinated implementation and follow-up of the major United Nations international conferences and summits;[82]

40. *Takes note* of the emphasis placed by the Economic and Social Council in resolution 1997/61 on the need for the Administrative Committee on Coordination to ensure that there is effective inter-agency support for the work of the intergovernmental bodies dealing with conference follow-up, including the Council and its functional commissions, that there is regular updating and feedback on the incorporation of the work of the task forces at the country level, and that the Council is kept fully informed of the work and decisions of that Committee concerning integrated and coordinated implementation and follow-up of the major United Nations international conferences and summits;

41. *Urges* the continued involvement and support by the regional commissions in the promotion of the implementation of the objectives of the World Summit for Social Development at the regional and subregional levels, and reiterates its invitation to the commissions, in accordance with their mandates and in cooperation with the regional intergovernmental organizations and banks, to convene on a biennial basis a meeting at a high political level to review the progress made towards implementing the outcome of the Summit, to exchange views on their respective experiences and to adopt appropriate measures;

42. *Welcomes* in this context the convening by the Economic Commission for Latin America and the Caribbean of the first regional meeting to evaluate the World Summit for Social Development, held at São Paulo from 6 to 9 April 1997, with the participation of high-level representatives of Latin American and Caribbean countries, and takes note with appreciation of the final document of the meeting, known as the São Paulo Consensus;

43. *Also welcomes* the convening by the Economic and Social Commission for Asia and the Pacific of the Fifth Asian and Pacific Ministerial Conference on Social Development at Manila, from 5 to 11 November 1997, to review national progress achieved and regional action taken in the implementation of the outcome of the Summit;

44. *Further welcomes* the convening of the expert group meeting on employment questions at Vienna, from 2 to 6 February 1998, as a follow-up to the Summit in the European region;

45. *Urges* the Economic Commission for Africa to convene in the forthcoming year a regional meeting to evaluate the follow-up of the World Summit for Social Development in the African region;

46. *Welcomes* the efforts of funds and programmes in assisting countries in implementing all Summit commitments at the national, regional and international levels;

47. *Also welcomes* the efforts of the United Nations Development Programme in the implementation of Summit commitments aimed at poverty eradication in developing countries, particularly in Africa and the least developed countries;

48. *Takes note with appreciation* of the contribution of the International Labour Organization to the consideration by the Commission for Social Development, at its thirty-fifth session, of the theme "Productive employment and sustainable livelihoods" and reiterates its invitation to the International Labour Organization to continue to contribute to the implementation of the Copenhagen Declaration and Programme of Action and to the work of the Commission for Social Development;

Special session of the General Assembly in 2000 for an overall review and appraisal of the implementation of the outcome of the Summit

49. *Recalls* its resolution 50/161, in which it decided to hold a special session in 2000 for an overall review and appraisal of the implementation of the outcome of the Summit and to consider further actions and initiatives;

50. *Also recalls* its resolution 51/202, in which it decided on the preparatory process of the special session;

51. *Decides* to establish a Preparatory Committee open to the participation of all States Members of the United Nations and members of the specialized agencies, with the participation of observers in accordance with the established practice of the General Assembly, and that the Preparatory Committee will hold an organizational session of four days' duration, from 19 to 22 May 1998;

52. *Also decides* that, at its organizational session, the Preparatory Committee will consider and decide on the process to be followed to achieve the purpose of the special session with respect to an overall review and appraisal of the implementation of the outcome of the Summit, and the consideration of further actions and initiatives and that, in this context, the Preparatory Committee will decide, *inter alia*, on the programme and organization of its work, including issues such as documentation, national contributions and input from the United Nations system, the election of its Bureau, the participation of non-governmental organizations, the dates for the special session and other organizational issues;

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[82] E/1997/73.

53. *Reaffirms* that the Preparatory Committee will initiate its substantive activities in 1999 on the basis of input by the Commission for Social Development and the Economic and Social Council, and that account will be taken of contributions by all relevant organs and specialized agencies of the United Nations system;

54. *Requests* the Secretary-General to prepare the necessary documentation for the Preparatory Committee at its organizational session and in particular to present a report at the organizational session, containing recommendations and proposals on the organization of the work of the Preparatory Committee;

55. *Reaffirms* that the follow-up to the Summit will be undertaken on the basis of an integrated approach to social development and within the framework of a coordinated follow-up to and implementation of the results of the major international conferences in the economic, social and related fields;

56. *Invites* Governments to contribute to the Trust Fund for the Follow-up to the World Summit for Social Development in support of the implementation of the Copenhagen Declaration and Programme of Action, including the preparation for the special session of the Assembly;

57. *Requests* the Secretary-General to ensure that the preparatory process for the special session benefits from the active involvement of all concerned and that the secretariat is adequately supported;

58. *Also requests* the Secretary-General to report to the Assembly at its fifty-third session on the implementation of the outcome of the Summit;

59. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Implementation of the outcome of the World Summit for Social Development".

56th plenary meeting
26 November 1997

52/26. Oceans and the law of the sea

The General Assembly,

Recalling its resolutions 49/28 of 6 December 1994, 50/23 of 5 December 1995 and 51/34 of 9 December 1996 adopted subsequent to the entry into force of the United Nations Convention on the Law of the Sea[83] on 16 November 1994,

Emphasizing the universal character of the Convention and its fundamental importance for the maintenance and strengthening of international peace and security, as well as for the sustainable use and development of the seas and oceans and their resources,

Conscious that the problems of ocean space are closely interrelated and need to be considered as a whole,

Conscious also of the strategic importance of the Convention as a framework for national, regional and global action in the marine sector, as recognized also by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,[84]

Recalling its resolution S-19/2 of 28 June 1997, to which is annexed the Programme for the Further Implementation of Agenda 21, in particular paragraph 36 thereof dealing with oceans and seas, as well as its decision that oceans and seas will be the sectoral theme discussed at the seventh session of the Commission on Sustainable Development in 1999,

Recalling also its resolution 49/131 of 19 December 1994 on the International Year of the Ocean,

Considering that, in its resolution 2749 (XXV) of 17 December 1970, it proclaimed that the seabed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction ("the Area"), as well as the resources of the Area, are the common heritage of mankind, and considering also that the Convention, together with the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 ("the Agreement"),[85] provides the regime to be applied to the Area and its resources,

Noting with satisfaction the increase in the number of States parties to the Convention and the Agreement,

Aware of the importance of the effective implementation of the Convention and its uniform and consistent application, as well as of the growing need to promote and facilitate international cooperation on the law of the sea and ocean affairs at the global, regional and subregional levels,

Recognizing the impact on States of the entry into force of the Convention and the increasing need, particularly of developing States, for advice and assistance in its implementation in order to benefit thereunder,

Recalling the provisions of Part XV of the Convention establishing a comprehensive dispute settlement system and article 287 regarding the choice of means for the settlement of disputes,

Recalling also the establishment of the International Tribunal for the Law of the Sea ("the Tribunal")[86] in accordance with Annex VI to the Convention as a new means for the settlement of disputes concerning the interpretation or application of the Convention and the Agreement,

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[83] *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

[84] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[85] Resolution 48/263, annex.

[86] SPLOS/14, chap. III.

Welcoming the establishment of the Commission on the Limits of the Continental Shelf ("the Commission") during the sixth Meeting of States Parties to the Convention,[87]

Noting the progress in the work of the Commission during its first[88] and second[89] sessions, held in June and September 1997, on developing its rules of procedure and its modus operandi,

Recalling that the institutions established by the Convention shall be cost-effective,

Expressing its appreciation once again to the Secretary-General for his efforts in support of the Convention and in its effective implementation, including providing assistance in the functioning of the institutions created by the Convention,

Noting the responsibilities of the Secretary-General under the Convention and related resolutions of the General Assembly, in particular resolution 49/28, and emphasizing the importance of the performance of such responsibilities for the effective and consistent implementation of the Convention,

Recalling its resolution 50/214 of 23 December 1995, in which it decided that savings in the programme budget would not affect the full implementation of mandated programmes and activities,

Noting with appreciation the continued efforts of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat to provide timely information on the oceans, marine affairs and the law of the sea through its Web site on the Internet,

Conscious of the need to promote and facilitate international cooperation, especially at the subregional and regional levels, in order to ensure the orderly and sustainable development of the uses and resources of the seas and oceans,

Taking note of the report of the Secretary-General,[90] and reaffirming the importance of the annual consideration and review by the General Assembly of the overall developments pertaining to the implementation of the Convention, as well as of other developments relating to the law of the sea and ocean affairs,

1. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention and the Agreement;

2. *Calls upon* States to harmonize their national legislation with the provisions of the Convention, to ensure the consistent application of those provisions and to ensure also that any declarations or statements that they have made or make when signing, ratifying or acceding are in conformity with the Convention and to withdraw any of their declarations or statements that are not in conformity;

3. *Reaffirms* the unified character of the Convention;

4. *Requests* the Secretary-General to convene the Meeting of States Parties to the Convention from 18 to 22 May 1998;

5. *Approves* the convening by the Secretary-General of the third and fourth sessions of the Commission, to be held from 4 to 15 May and 31 August to 4 September 1998 respectively;

6. *Notes with satisfaction* the progress in the work of the International Seabed Authority, in particular the approval, during the third session of the Authority in 1997, of seven plans of work for exploration in the Area, and the progress being made by the Legal and Technical Commission towards the formulation of a draft mining code;

7. *Notes with appreciation* the adoption of the Agreement on the Privileges and Immunities of the Tribunal, the progress made towards the conclusion of a headquarters agreement between the Tribunal and Germany and the adoption by the Tribunal of the Rules of the Tribunal, the resolution on internal judicial practice and the guidelines for the preparation and presentation of cases before the tribunal;

8. *Encourages* States parties to the Convention to consider making a written declaration choosing from the means set out in article 287 of the Convention for the settlement of disputes concerning the interpretation or application of the Convention and the Agreement, and invites States to note the provisions of Annexes V, VI, VII and VIII to the Convention concerning, respectively, conciliation, the Tribunal, arbitration and special arbitration;

9. *Expresses its appreciation* to the Secretary-General for the annual comprehensive report on the law of the sea[90] and the activities of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat, in accordance with the provisions of the Convention and the mandate set forth in resolution 49/28;

10. *Requests* the Secretary-General to ensure that the institutional capacity of the Organization adequately responds to the needs of States, the newly established institutions (including the International Seabed Authority and the Tribunal) and other competent international organizations by providing advice and assistance, taking into account the special needs of developing countries;

11. *Also requests* the Secretary-General to continue to carry out the responsibilities entrusted to him in the Convention and related resolutions of the General Assembly and to ensure that the performance of such activities is not adversely affected by savings as may be realized under the approved budget for the Organization; these activities include, *inter alia*:

(*a*) Preparing annually a comprehensive report for the consideration of the General Assembly on developments relating to ocean affairs and the law of the sea;

(*b*) Preparing periodically special reports on specific topics such as fisheries, transit problems of the landlocked developing States or other topics of current interest, including those requested by intergovernmental conferences and bodies, taking into account the provisions of the Convention;

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[87] SPLOS/20, chap. III.

[88] CLCS/1.

[89] CLCS/4.

[90] A/52/487.

(*c*) Developing and maintaining the appropriate facilities for the deposit by States of charts and geographical coordinates concerning maritime zones, including lines of delimitation, and to give due publicity thereto, as required by article 16, paragraph 2, article 47, paragraph 9, article 75, paragraph 2, article 76, paragraph 9 and article 84, paragraph 2, of the Convention;

(*d*) Strengthening the existing system for the collection, compilation and dissemination of information on ocean affairs and the law of the sea and, in cooperation with the relevant international organizations, furthering the development of a centralized system for providing coordinated information and advice;

(*e*) Undertaking efforts to promote better understanding of the Convention and the Agreement in order to ensure their effective implementation;

(*f*) Ensuring appropriate responses to requests of States, in particular developing States, for advice and assistance in implementing the provisions of the Convention and the Agreement;

(*g*) Preparing for and convening the Meetings of States Parties to the Convention and providing the necessary services for such meetings, in accordance with the Convention;

(*h*) Preparing for and convening the meetings of the Commission and providing it with the necessary services in accordance with the Convention;

(*i*) Strengthening training activities in ocean and coastal area management and development;

12. *Reaffirms* the importance of ensuring the uniform and consistent application of the Convention and a coordinated approach to its overall implementation, and of strengthening technical cooperation and financial assistance for this purpose, stresses once again the continuing importance of the efforts of the Secretary-General to these ends, and reiterates its invitation to the competent international organizations and other international bodies to support these objectives;

13. *Invites* Member States and others in a position to do so to contribute to the further development of the Hamilton Shirley Amerasinghe Memorial Fellowship Programme on the Law of the Sea and of the training and educational activities on the law of the sea and ocean affairs established by the General Assembly in resolution 35/116 of 10 December 1980, as well as advisory services and assistance in support of effective implementation of the Convention;

14. *Calls upon* States to implement its resolution 51/189 of 16 December 1996 and to strengthen the implementation of existing international and regional agreements on marine pollution;

15. *Also calls upon* States to take actions, individually or collectively and through their participation in competent global, regional, and subregional forums, to improve the quality and quantity of scientific data as a basis for effective decisions related to protection of the marine environment and the conservation of living marine resources;

16. *Notes* that it proclaimed the year 1998 as the International Year of the Ocean;

17. *Reaffirms* its decision to undertake an annual review and evaluation of the implementation of the Convention and other developments relating to ocean affairs and the law of the sea;

18. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution, including other developments and issues relating to ocean affairs and the law of the sea, in connection with his annual comprehensive report on oceans and the law of the sea, and to circulate the report sufficiently in advance of consideration by the General Assembly of the item concerning oceans and the law of the sea;

19. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Oceans and the law of the sea".

57th plenary meeting
26 November 1997

52/27. Agreement concerning the Relationship between the United Nations and the International Seabed Authority

The General Assembly,

Recalling its resolution 51/34 of 9 December 1996, in which, *inter alia*, it invited the Secretary-General to take steps to conclude a relationship agreement with the International Seabed Authority, to be applied provisionally pending its approval by the General Assembly and the Assembly of the Authority,

Noting the decision of the Assembly of the International Seabed Authority at its third session[91] to approve the Agreement concerning the Relationship between the United Nations and the International Seabed Authority signed on 14 March 1997 by the Secretary-General of the United Nations and the Secretary-General of the International Seabed Authority,

Having considered the Agreement concerning the Relationship between the United Nations and the International Seabed Authority,[92]

Approves the Agreement, which is annexed to the present resolution.

57th plenary meeting
26 November 1997

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[91] ISBA/3/A/3.

[92] A/52/260, annex.

ANNEX

Agreement concerning the Relationship between the United Nations and the International Seabed Authority

The United Nations and the International Seabed Authority,

Bearing in mind that the General Assembly of the United Nations in its resolution 3067 (XXVIII) of 16 November 1973 decided to convene the Third United Nations Conference on the Law of the Sea for the adoption of a convention dealing with all matters relating to the law of the sea and that the Conference adopted the United Nations Convention on the Law of the Sea, which, *inter alia*, establishes the International Seabed Authority,

Recalling that the General Assembly of the United Nations in its resolution 48/263 of 28 July 1994 adopted the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,

Mindful of the entry into force of the United Nations Convention on the Law of the Sea on 16 November 1994 and the entry into force of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 on 28 July 1996,

Noting General Assembly resolution 51/6 of 24 October 1996 inviting the International Seabed Authority to participate in the deliberations of the General Assembly in the capacity of observer,

Noting also article 162, paragraph 2 (*f*), of the United Nations Convention on the Law of the Sea of 10 December 1982, General Assembly resolution 51/34 of 9 December 1996 and decision ISBA/C/10 of 12 August 1996 of the Council of the International Seabed Authority calling for the conclusion of a relationship agreement between the United Nations and the International Seabed Authority,

Desiring to make provision for an effective system of mutually beneficial relationships whereby the discharge of their respective responsibilities may be facilitated,

Taking into account for this purpose the provisions of the Charter of the United Nations, the provisions of the United Nations Convention on the Law of the Sea and the provisions of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,

Have agreed as follows:

Article 1

Purpose of the Agreement

This Agreement, which is entered into by the United Nations and the International Seabed Authority (hereinafter referred to as "the Authority"), pursuant to the provisions of the Charter of the United Nations (hereinafter referred to as "the Charter") and the provisions of the United Nations Convention on the Law of the Sea (hereinafter referred to as "the Convention") and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (hereinafter referred to as "the Agreement") respectively, is intended to define the terms on which the United Nations and the Authority shall be brought into relationship.

Article 2

Principles

1. The United Nations recognizes the Authority as the organization through which States parties to the Convention shall, in accordance with Part XI of the Convention and the Agreement, organize and control activities in the seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction (hereinafter referred to as "the Area"), in particular with a view to administering the resources of the Area. The United Nations undertakes to conduct its activities in such a manner as to promote the legal order for the seas and oceans established by the Convention and the Agreement.

2. The United Nations recognizes that the Authority, by virtue of the Convention and the Agreement, shall function as an autonomous international organization in the working relationship with the United Nations established by this Agreement.

3. The Authority recognizes the responsibilities of the United Nations under the Charter and other international instruments, in particular in the fields of international peace and security and economic, social, cultural and humanitarian development and protection and preservation of the environment.

4. The Authority undertakes to conduct its activities in accordance with the purposes and principles of the Charter to promote peace and international cooperation and in conformity with the policies of the United Nations furthering these purposes and principles.

Article 3

Cooperation and coordination

1. The United Nations and the Authority recognize the desirability of achieving effective coordination of the activities of the Authority with those of the United Nations and the specialized agencies, and of avoiding unnecessary duplication of activities.

2. The United Nations and the Authority agree that, with a view to facilitating the effective discharge of their respective responsibilities, they will cooperate closely with each other and consult each other on matters of mutual interest.

Article 4

Assistance to the Security Council

1. The Authority shall cooperate with the Security Council by providing to it at its request such information and assistance

as may be required in the exercise of its responsibility for the maintenance or restoration of international peace and security. In case confidential information is provided, the Security Council shall preserve its confidential character.

2. At the invitation of the Security Council, the Secretary-General of the Authority may attend its meetings to supply it with information or give it other assistance with regard to matters within the competence of the Authority.

Article 5

International Court of Justice

The Authority agrees, subject to the provisions of this Agreement relating to the safeguarding of confidential material, data and information, to provide any information that may be requested by the International Court of Justice in accordance with the Statute of that Court.

Article 6

Reciprocal representation

1. Without prejudice to the decision of the General Assembly in its resolution 51/6 of 24 October 1996 granting observer status to the Authority, and subject to such decisions as may be taken concerning the attendance of their meetings by observers, the United Nations shall, subject to the rules of procedure and practice of the bodies concerned, invite the Authority to send representatives to meetings and conferences of other competent bodies, whenever matters of interest to the Authority are discussed.

2. Subject to such decisions as may be taken by its competent bodies concerning the attendance of their meetings by observers, the Authority shall, subject to the rules of procedure and practice of the bodies concerned, invite the United Nations to send representatives to all its meetings and conferences, whenever matters of interest to the United Nations are discussed.

3. Written statements submitted by the United Nations to the Authority for distribution shall be distributed by the secretariat of the Authority to all members of the appropriate organ or organs of the Authority in accordance with the relevant rules of procedure. Written statements presented by the Authority to the United Nations for distribution shall be distributed by the Secretariat of the United Nations to all members of the appropriate organ or organs of the United Nations in accordance with the relevant rules of procedure. Such written statements will be circulated in the quantities and languages in which they are made available to the respective secretariat.

Article 7

Cooperation between the two secretariats

The Secretary-General of the United Nations and the Secretary-General of the Authority shall consult from time to time regarding the implementation of their respective responsibilities under the Convention and the Agreement. They shall consult, in particular, regarding such administrative arrangements as may be necessary to enable the two organizations effectively to carry out their functions and to ensure effective cooperation and liaison between their secretariats.

Article 8

Exchange of information, data and documents

1. The United Nations and the Authority shall arrange for the exchange of information, publications and reports of mutual interest.

2. In fulfilment of the responsibilities entrusted to him under article 319, subparagraphs 2 (*a*) and (*b*) of the Convention and assumed by him pursuant to General Assembly resolution 37/66 of 3 December 1982, the Secretary-General of the United Nations shall report to the Authority from time to time on issues of a general nature that have arisen with respect to the Convention and shall regularly notify the Authority of ratifications and formal confirmations of and accessions to the Convention and amendments thereto, as well as of denunciations of the Convention.

3. The United Nations and the Authority shall cooperate in obtaining from States parties to the Convention copies of charts or lists of geographical coordinates of the outer limit lines of their continental shelf as referred to in article 84 of the Convention. They will exchange copies of such lists of coordinates or, to the extent practicable, charts.

4. Where the outer limits of the national jurisdiction of a State party are defined by the outer limit of the exclusive economic zone, the United Nations shall provide to the Authority copies of such lists of geographical coordinates or, to the extent practicable, charts, indicating the outer limit lines of the exclusive economic zone of such State party as may be deposited with the Secretary-General of the United Nations pursuant to article 75, paragraph 2, of the Convention.

5. The Authority, to the extent practicable, shall furnish special studies or information requested by the United Nations. The submission of such reports, studies and information shall be subject to conditions set forth in article 14.

6. The United Nations and the Authority are subject to necessary limitations for the safeguarding of confidential material, data and information furnished to them by their members or others. Subject to article 4, paragraph 1, nothing in this Agreement shall be construed to require either the United Nations or the Authority to furnish any material, data and information the furnishing of which could, in its judgement, constitute a violation of the confidence of any of its members or anyone from whom it shall have received such information, or which would otherwise interfere with the orderly conduct of its operation.

Article 9

Statistical services

The United Nations and the Authority, recognizing the desirability of maximum cooperation in the statistical field and of minimizing the burdens placed on Governments and other organizations from which information may be collected, undertake to avoid undesirable duplication between them with respect to the collection, analysis and publication of statistics, and agree to consult with each other on the most efficient use of resources and of technical personnel in the field of statistics.

Article 10

Technical assistance

The United Nations and the Authority undertake to work together in the provision of technical assistance in the fields of marine scientific research in the Area, transfer of technology and the prevention, reduction and control of pollution of the marine environment from activities in the Area. In particular, they agree to take such measures as may be necessary to achieve effective coordination of their technical assistance activities within the framework of existing coordinating machinery in the field of technical assistance, taking into account the respective roles and responsibilities of the United Nations and the Authority under their constitutive instruments, as well as those of other organizations participating in technical assistance activities.

Article 11

Personnel arrangements

1. The United Nations and the Authority agree to apply, in the interests of uniform standards of international employment and to the extent feasible, common personnel standards, methods and arrangements designed to avoid unjustified differences in terms and conditions of employment and to facilitate interchange of personnel in order to obtain the maximum benefit from their services.

2. To this end, the United Nations and the Authority agree:

(*a*) To consult together from time to time concerning matters of common interest relating to the terms and conditions of employment of the officers and staff, with a view to securing as much uniformity in these matters as may be feasible;

(*b*) To cooperate in the interchange of personnel when desirable, on a temporary or a permanent basis, making due provision for the retention of seniority and pension rights;

(*c*) To cooperate in the establishment and operation of suitable machinery for the settlement of disputes arising in connection with the employment of personnel and related matters.

3. Pursuant to decision ISBA/A/15 of 15 August 1996 of the Assembly of the International Seabed Authority, and upon the approval of the General Assembly of the United Nations, the Authority shall participate in the United Nations Joint Staff Pension Fund in accordance with the Regulations of the Fund and shall accept the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of those Regulations.

4. The terms and conditions on which any facilities or services of the Authority or the United Nations in connection with the matters referred to in this article are to be extended to the other shall, where necessary, be the subject of supplementary arrangements concluded for this purpose.

Article 12

Conference services

1. Unless the General Assembly of the United Nations, after giving reasonable notice to the Authority, decides otherwise, the United Nations will make available to the Authority, on a reimbursable basis, such facilities and services as may be required for the meetings of the Authority, including translation and interpretation services, documentation and conference services.

2. The terms and conditions on which any facilities or services of the United Nations in connection with the matters referred to in this article may be extended to the Authority shall, where necessary, be the subject of separate arrangements concluded for this purpose.

Article 13

Budgetary and financial matters

The Authority recognizes the desirability of establishing close budgetary and financial cooperation with the United Nations aimed at benefiting from the experience of the United Nations in this field.

Article 14

Financing of services

The costs and expenses resulting from the provision of services pursuant to this Agreement shall be the subject of separate arrangements between the Authority and the United Nations.

Article 15

United Nations laissez-passer

Without prejudice to the right of the Authority to issue its own travel documents, officials of the Authority shall be entitled, in accordance with such special arrangements as may be concluded between the Secretary-General of the United Nations and the Secretary-General of the Authority, to use the laissez-passer of the United Nations as a valid travel document where such use is recognized under the Protocol on the Privileges and Immunities of the International Seabed Authority or other agreements defining the privileges and immunities of the Authority.

Article 16

Implementation of the Agreement

The Secretary-General of the United Nations and the Secretary-General of the Authority may enter into such supplementary arrangements for the implementation of this Agreement as may be found desirable.

Article 17

Amendments

This Agreement may be amended by agreement between the United Nations and the Authority. Any such amendment agreed upon shall enter into force on its approval by the General Assembly of the United Nations and the Assembly of the Authority.

Article 18

Entry into force

1. This Agreement shall enter into force on its approval by the General Assembly of the United Nations and the Assembly of the Authority.

2. This Agreement shall be applied provisionally by the United Nations and the Authority upon signature by the Secretary-General of the United Nations and the Secretary-General of the Authority.

IN WITNESS THEREOF the undersigned, being duly authorized representatives of the United Nations and the International Seabed Authority, have signed the present agreement.

SIGNED this 14th day of March 1997 at New York in two originals in the English language.

For the United Nations:	For the International Seabed Authority:
(*Signed*) Kofi A. ANNAN *Secretary-General*	(*Signed*) Satya N. NANDAN *Secretary-General*

52/28. Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

The General Assembly,

Recalling its resolution 47/192 of 22 December 1992, concerning the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks, and resolutions 50/24 of 5 December 1995 and 51/35 of 9 December 1996, concerning the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks,[93]

Recalling also resolutions I and II adopted by the Conference,[94]

Recognizing the importance of the Agreement for the conservation and management of straddling fish stocks and highly migratory fish stocks and the need for the regular consideration and review of developments relating thereto,

Recognizing also the importance of artisanal and subsistence fishers,

Noting with appreciation the information provided by States, relevant specialized agencies, international organizations, intergovernmental bodies and non-governmental organizations in accordance with resolution 51/35,

Taking note of the report of the Secretary-General,[95]

1. *Recognizes* the significance of the Agreement for the Implementation of the Provisions the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks[93] as an important contribution to ensuring the conservation and management of straddling fish stocks and highly migratory fish stocks;

2. *Emphasizes* the importance of the early entry into force and effective implementation of the Agreement;

3. *Calls upon* all States and other entities referred to in article 1, paragraph 2 (*b*), of the Agreement that have not done so to ratify or accede to it and to consider applying it provisionally;

4. *Also calls upon* States to ensure that any declarations or statements that they have made or make when signing, ratifying or acceding to the Agreement are consistent with articles 42 and 43 of the Agreement;

5. *Takes note with concern* that many commercially important straddling fish stocks and highly migratory fish stocks have been subject to heavy and little-regulated fishing efforts and that some stocks continue to be overfished;

6. *Welcomes* the fact that a growing number of States and other entities, as well as regional and subregional fishery management organizations and arrangements, have adopted legislation, established regulations or taken other measures to implement the provisions in the Agreement, and urges them to enforce those measures fully,

7. *Calls upon* States and other entities and regional and subregional fishery management organizations and arrangements that have not done so to consider taking measures to implement the provisions of the Agreement;

8. *Urges* States, relevant specialized agencies, international organizations, intergovernmental bodies and non-governmental organizations that have not yet done so to provide information to the Secretary-General to ensure as comprehensive a report as possible;

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[93] A/CONF.164/37; see also A/50/550, annex I.

[94] A/CONF.164/38, annex; see also A/50/550, annex II.

[95] A/52/555.

9. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session and biennially thereafter on further developments relating to the conservation and management of straddling fish stocks and highly migratory fish stocks, including the status and implementation of the Agreement, taking into account information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements for the conservation and management of straddling fish stocks and highly migratory fish stocks, as well as other relevant intergovernmental bodies and non-governmental organizations;

10. *Also requests* the Secretary-General to ensure that reporting on all major fishery-related activities and instruments is effectively coordinated and duplication of activities and reporting minimized, and that relevant scientific and technical studies are disseminated to the international community, and invites the relevant specialized agencies, including the Food and Agriculture Organization of the United Nations, as well as regional and subregional fishery organizations and arrangements, to cooperate with the Secretary-General to that end;

11. *Decides* to include in the provisional agenda of its fifty-fourth session, under an item entitled "Oceans and law of the sea", the sub-item entitled "Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks".

57th plenary meeting
26 November 1997

52/29. Large-scale pelagic drift-net fishing; unauthorized fishing in zones of national jurisdiction and on the high seas; fisheries by-catch and discards; and other developments

The General Assembly,

Reaffirming its resolutions 46/215 of 20 December 1991, 49/116 and 49/118 of 19 December 1994 as well as other relevant resolutions,

Reaffirming also its resolution 51/36 of 9 December 1996 on large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas, unauthorized fishing in zones of national jurisdiction and its impact on the living marine resources of the world's oceans and seas, and fisheries by-catch and discards and their impact on the sustainable use of the world's living marine resources,

Conscious of the need to promote and facilitate international cooperation, especially at the regional and subregional levels, in order to ensure the sustainable development and use of the living marine resources of the world's oceans and seas, consistent with the present resolution,

Mindful that the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks[96] provides in its general principles that States shall minimize pollution, waste, discards, catch by lost or abandoned gear, catch of non-target species, both fish and non-fish species, and impacts on associated or dependent species, in particular endangered species, through measures including, to the extent practicable, the development and use of selective, environmentally safe and cost-effective fishing gear and techniques, and further provides that States shall take measures, including the establishment of regulations, to ensure that vessels flying their flags do not conduct unauthorized fishing within areas under the national jurisdiction of other States,

Recalling the provisions of article 5 of the Agreement, which sets out the general principles to which States are committed in order to conserve and manage such stocks,

Noting that the Code of Conduct for Responsible Fisheries, adopted by the Conference of the Food and Agriculture Organization of the United Nations on 31 October 1995, sets out principles and global standards of behaviour for responsible practices to conserve, manage and develop fisheries, including guidelines for fishing on the high seas and in areas under the national jurisdiction of other States, and on fishing gear selectivity and practices, with the aim of reducing by-catch and discards,

Expressing deep concern at the detrimental impact of unauthorized fishing in areas under national jurisdiction, where the overwhelming proportion of the global fish catch is harvested, on the sustainable development of the world's fishery resources and on the food security and economies of many States, particularly developing States,

Reaffirming once again the rights and duties of coastal States to ensure proper conservation and management measures with respect to the living resources in areas under their national jurisdiction, in accordance with international law as reflected in the United Nations Convention on the Law of the Sea,[97]

Recalling that Agenda 21,[98] adopted by the United Nations Conference on Environment and Development, calls upon States to take effective action, consistent with international law, to deter reflagging of vessels by their nationals as a means of avoiding compliance with applicable conservation and management rules for fishing vessels on the high seas,

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[96] A/CONF.164/37; see also A/50/550, annex I.

[97] *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

[98] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

Recognizing the importance of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, adopted by the Conference of the Food and Agriculture Organization of the United Nations in November 1993, to the conservation and management of fisheries resources on the high seas,

Taking note of the report of the Secretary-General on large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas, unauthorized fishing in zones of national jurisdiction and its impact on the living marine resources of the world's oceans and seas, and fisheries by-catch and discards and their impact on the sustainable use of the world's living marine resources,[99]

Taking note also of the initiatives undertaken in the Food and Agriculture Organization of the United Nations relating to the incidental catch of seabirds, the conservation and management of sharks and the management of fishing capacity,

Acknowledging with appreciation the measures taken and the progress made by members of the international community, international organizations and regional economic integration organizations to implement and support the objectives of resolution 46/215,

Recognizing the efforts that international organizations and members of the international community have made to reduce by-catch and discards in fishing operations,

Once again expressing deep concern that there are continuing reports of activities inconsistent with the terms of resolution 46/215 and unauthorized fishing inconsistent with the terms of resolution 49/116,

1. *Reaffirms* the importance it attaches to compliance with its resolution 46/215, in particular to those provisions of the resolution calling for full implementation of a global moratorium on all large-scale pelagic drift-net fishing on the high seas of the world's oceans and seas, including enclosed seas and semi-enclosed seas;

2. *Notes* that a growing number of States and other entities as well as relevant regional and subregional fisheries management organizations and arrangements have adopted legislation, established regulations or applied other measures to ensure compliance with resolutions 46/215, 49/116 and 51/36, and urges them to enforce fully such measures;

3. *Urges* all authorities of members of the international community that have not done so to take greater enforcement responsibility to ensure full compliance with resolution 46/215 and to impose appropriate sanctions, consistent with their obligations under international law, against acts contrary to the terms of that resolution;

4. *Calls upon* States to take the responsibility, consistent with their obligations under international law as reflected in the United Nations Convention on the Law of the Sea[97] and resolution 49/116, to take measures to ensure that no fishing vessels entitled to fly their national flags fish in areas under the national jurisdiction of other States unless duly authorized by the competent authorities of the coastal State or States concerned, and that such authorized fishing operations should be carried out in accordance with the conditions set out in the authorization;

5. *Notes* the obligations of States outlined in Parts IV and V of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks[96] regarding non-members and non-participants and duties of flag States respectively;

6. *Calls upon* States and other entities referred to in article 10, paragraph 1, of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas that have not done so to accept the Agreement;

7. *Notes* that no party to the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas shall allow any fishing vessel entitled to fly its flag to be used for fishing on the high seas unless it has been authorized to do so by the appropriate authority or authorities of that party, and that a fishing vessel so authorized shall fish in accordance with the conditions set out in the authorization;

8. *Welcomes* initiatives undertaken in the Food and Agricultural Organization of the United Nations to organize an expert consultation to develop and propose guidelines leading to a plan of action aiming at a reduction in the incidental catch of sea birds, to organize an expert consultation to develop and propose guidelines leading to a plan of action for the conservation and effective management of shark populations and to hold a technical consultation on the management of fishing capacity to draft guidelines for the control and management of fishing capacities;

9. *Urges* States, relevant international organizations and regional and subregional fisheries management organizations and arrangements to take action to adopt policies, apply measures, including through assistance to developing countries, collect and exchange data and develop techniques to reduce by-catches, fish discards and post-harvest losses consistent with international law and relevant international instruments, including the Code of Conduct for Responsible Fisheries;

10. *Reiterates its call* on development assistance organizations to make it a high priority to support, including through financial and/or technical assistance, efforts of developing coastal States, in particular the least developed countries and the small island developing States, to improve the monitoring and control of fishing activities and the enforcement of fishing regulations, including through financial and technical support for regional and subregional meetings for this purpose;

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[99] A/52/555.

11. *Requests* the Secretary-General to bring the present resolution to the attention of all members of the international community, relevant intergovernmental organizations, the organizations and bodies of the United Nations system, regional and subregional fisheries management organizations and relevant non-governmental organizations, and invites them to provide the Secretary-General with information relevant to the implementation of the present resolution;

12. *Also requests* the Secretary-General to ensure that reporting on all major fisheries-related activities and instruments is effectively coordinated and duplication of activities and reporting minimized and that relevant scientific and technical studies are disseminated to the international community, and invites the relevant specialized agencies, including the Food and Agriculture Organization of the United Nations, as well as regional and subregional fisheries organizations and arrangements, to cooperate with the Secretary-General to that end;

13. *Further requests* the Secretary-General to submit to the General Assembly at its fifty-third session and biennially thereafter a report on further developments relating to the implementation of resolutions 46/215, 49/116, 49/118, the status and implementation of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas and efforts undertaken in the Food and Agriculture Organization of the United Nations referred to in paragraph 8 of the present resolution, taking into account the information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements and other relevant intergovernmental and non-governmental organizations;

14. *Decides* to include in the provisional agenda of its fifty-third session, under the item entitled "Oceans and law of the sea", a sub-item entitled "Large-scale pelagic drift-net fishing; unauthorized fishing in zones of national jurisdiction and on the high seas; fisheries by-catch and discards; and other developments".

57th plenary meeting
26 November 1997

52/49. Committee on the Exercise of the Inalienable Rights of the Palestinian People

The General Assembly,

Recalling its resolutions 181 (II) of 29 November 1947, 194 (III) of 11 December 1948, 3236 (XXIX) of 22 November 1974, 3375 (XXX) and 3376 (XXX) of 10 November 1975, 31/20 of 24 November 1976, 32/40 A of 2 December 1977, 33/28 A and B of 7 December 1978, 34/65 A of 29 November 1979 and 34/65 C of 12 December 1979, ES-7/2 of 29 July 1980, 35/169 A and C of 15 December 1980, 36/120 A and C of 10 December 1981, ES-7/4 of 28 April 1982, 37/86 A of 10 December 1982, 38/58 A of 13 December 1983, 39/49 A of 11 December 1984, 40/96 A of 12 December 1985, 41/43 A of 2 December 1986, 42/66 A of 2 December 1987, 43/175 A of 15 December 1988, 44/41 A of 6 December 1989, 45/67 A of 6 December 1990, 46/74 A of 11 December 1991, 47/64 A of 11 December 1992, 48/158 A of 20 December 1993, 49/62 A of 14 December 1994, 50/84 A of 15 December 1995 and 51/23 of 4 December 1996,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[100]

Recalling the signing of the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes and Agreed Minutes, by the Government of the State of Israel and the Palestine Liberation Organization in Washington, D.C., on 13 September 1993,[101] as well as the subsequent implementation agreements, in particular the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed in Washington, D.C., on 28 September 1995,[102]

Reaffirming that the United Nations has a permanent responsibility with respect to the question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy,

1. *Expresses its appreciation* to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly;

2. *Considers* that the Committee can continue to make a valuable and positive contribution to international efforts to promote the effective implementation of the Declaration of Principles on Interim Self-Government Arrangements and to mobilize international support for and assistance to the Palestinian people during the transitional period;

3. *Endorses* the recommendations of the Committee contained in chapter VII of its report;

4. *Requests* the Committee to continue to keep under review the situation relating to the question of Palestine and to report and make suggestions to the General Assembly or the Security Council, as appropriate;

5. *Authorizes* the Committee to continue to exert all efforts to promote the exercise of the inalienable rights of the Palestinian people, to make such adjustments in its approved programme of work as it may consider appropriate and necessary in the light of developments, to give special emphasis to the need to mobilize support and assistance for the Palestinian people and to report thereon to the General Assembly at its fifty-third session and thereafter;

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[100] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 35* (A/52/35).

[101] A/48/486-S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

[102] A/51/889-S/1997/357, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

6. *Requests* the Committee to continue to extend its cooperation to non-governmental organizations in their contribution towards heightening international awareness of the facts relating to the question of Palestine and promoting support and assistance to meet the needs of the Palestinian people and to take the necessary steps to involve additional non-governmental organizations in its work;

7. *Requests* the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194 (III), and other United Nations bodies associated with the question of Palestine to continue to cooperate fully with the Committee and to make available to it, at its request, the relevant information and documentation which they have at their disposal;

8. *Requests* the Secretary-General to circulate the report of the Committee to all the competent bodies of the United Nations, and urges them to take the necessary action, as appropriate;

9. *Also requests* the Secretary-General to continue to provide the Committee with all the necessary facilities for the performance of its tasks.

68th plenary meeting
9 December 1997

52/50. Division for Palestinian Rights of the Secretariat

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[103]

Taking note in particular of the relevant information contained in chapter V.B of that report,

Recalling its resolutions 32/40 B of 2 December 1977, 33/28 C of 7 December 1978, 34/65 D of 12 December 1979, 35/169 D of 15 December 1980, 36/120 B of 10 December 1981, 37/86 B of 10 December 1982, 38/58 B of 13 December 1983, 39/49 B of 11 December 1984, 40/96 B of 12 December 1985, 41/43 B of 2 December 1986, 42/66 B of 2 December 1987, 43/175 B of 15 December 1988, 44/41 B of 6 December 1989, 45/67 B of 6 December 1990, 46/74 B of 11 December 1991, 47/64 B of 11 December 1992, 48/158 B of 20 December 1993, 49/62 B of 14 December 1994, 50/84 B of 15 December 1995 and 51/24 of 4 December 1996,

1. *Notes with appreciation* the action taken by the Secretary-General in compliance with its resolution 51/24;

2. *Considers* that the Division for Palestinian Rights of the Secretariat continues to make a useful and constructive contribution through the organization of seminars and meetings of non-governmental organizations, as well as through its research and monitoring activities, the preparation of studies and publications and the collection and dissemination of information in printed and electronic form on all issues pertaining to the question of Palestine;

3. *Requests* the Secretary-General to continue to provide the Division with the necessary resources, including for the further development of the United Nations Information System on the Question of Palestine,[104] and to ensure that it continues to discharge the tasks detailed in paragraph 1 of resolution 32/40 B, paragraph 2 (*b*) of resolution 34/65 D, paragraph 3 of resolution 36/120 B, paragraph 3 of resolution 38/58 B, paragraph 3 of resolution 40/96 B, paragraph 2 of resolution 42/66 B, paragraph 2 of resolution 44/41 B, paragraph 2 of resolution 46/74 B, paragraph 2 of resolution 48/158 B, paragraph 3 of resolution 49/62 B, paragraph 3 of resolution 50/84 B and paragraph 3 of resolution 51/24, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance;

4. *Also requests* the Secretary-General to ensure the continued cooperation of the Office of Communications and Public Information and other units of the Secretariat in enabling the Division to perform its tasks and in covering adequately the various aspects of the question of Palestine;

5. *Invites* all Governments and organizations to lend their cooperation to the Committee and the Division in the performance of their tasks;

6. *Notes with appreciation* the action taken by Member States to observe annually on 29 November the International Day of Solidarity with the Palestinian People, requests them to continue to give the widest possible publicity to the observance, and requests the Committee to continue to organize, as part of the observance of the Day of Solidarity, an annual exhibit on Palestinian rights in cooperation with the Permanent Observer Mission of Palestine to the United Nations.

68th plenary meeting
9 December 1997

52/51. Special information programme on the question of Palestine

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[105]

Taking note in particular of the information contained in chapter VI of that report,

Recalling its resolution 51/25 of 4 December 1996,

Convinced that the worldwide dissemination of accurate and comprehensive information and the role of non-governmental organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people,

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[103] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 35* (A/52/35).

[104] Ibid., paras. 101 and 102.

[105] Ibid., *Supplement No. 35* (A/52/35).

Aware of the Declaration of Principles on Interim Self-Government Arrangements signed by the Government of the State of Israel and the Palestine Liberation Organization in Washington, D.C., on 13 September 1993,[106] and of the subsequent implementation agreements, in particular the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip signed in Washington, D.C., on 28 September 1995,[107] and their positive implications,

1. *Notes with appreciation* the action taken by the Office of Communications and Public Information of the Secretariat in compliance with resolution 51/25;

2. *Considers* that the special information programme on the question of Palestine of the Office is very useful in raising the awareness of the international community concerning the complexities of the question of Palestine and the situation in the Middle East in general, including the achievements of the peace process, and that the programme is contributing effectively to an atmosphere conducive to dialogue and supportive of the peace process;

3. *Requests* the Office, in full cooperation and coordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue, with the necessary flexibility as may be required by developments affecting the question of Palestine, its special information programme for the biennium 1998-1999, with particular emphasis on public opinion in Europe and North America and, in particular:

(*a*) To disseminate information on all the activities of the United Nations system relating to the question of Palestine, including reports on the work carried out by the relevant United Nations organizations;

(*b*) To continue to issue and update publications on the various aspects of the question of Palestine in all fields, including materials concerning the recent developments in that regard and, in particular, the prospects for peace;

(*c*) To expand its collection of audiovisual material on the question of Palestine and to continue the production of such material;

(*d*) To organize and promote fact-finding news missions for journalists to the area, including the territories under the jurisdiction of the Palestinian Authority and the occupied territories;

(*e*) To organize international, regional and national seminars or encounters for journalists;

(*f*) To continue to provide assistance to the Palestinian people in the field of media development, in particular to strengthen the training programme for Palestinian broadcasters and journalists initiated in 1995.

68th plenary meeting
9 December 1997

52/52. Peaceful settlement of the question of Palestine

The General Assembly,

Recalling its relevant resolutions, including resolutions adopted at the tenth emergency special session,

Recalling also the relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973,

Aware that 1997 marks fifty years since the adoption of resolution 181 (II) of 29 November 1947 and thirty years since the occupation of Palestinian territory, including Jerusalem,

Having considered the report of the Secretary-General[108] submitted pursuant to the request made in its resolution 51/26 of 4 December 1996,

Convinced that achieving a final and peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of a comprehensive and lasting peace in the Middle East,

Aware that the principle of equal rights and self-determination of peoples is among the purposes and principles of the Charter of the United Nations,

Affirming the principle of the inadmissibility of the acquisition of territory by war,

Affirming also the illegality of the Israeli settlements in the territory occupied since 1967 and of Israeli actions aimed at changing the status of Jerusalem,

Affirming once again the right of all States in the region to live in peace within secure and internationally recognized borders,

Recalling the mutual recognition between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and the signing by the two parties of the Declaration of Principles on Interim Self-Government Arrangements in Washington, D.C., on 13 September 1993,[109] as well as the subsequent implementation agreements, including the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip signed in Washington, D.C., on 28 September 1995,[110]

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[106] A/48/486-S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

[107] A/51/889-S/1997/357, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

[108] A/52/581-S/1997/866; see *Official Records of the Security Council, Fifty-second Year, Supplement for October, November and December 1997*, document S/1997/866.

[109] A/48/486-S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

[110] A/51/889-S/1997/357, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

Recalling also the withdrawal of the Israeli army, which took place in the Gaza Strip and the Jericho area in 1995 in accordance with the agreements reached by the parties, and the initiation of the Palestinian Authority in those areas, as well as the beginning of the redeployment of the Israeli army in the rest of the West Bank in 1996,

Noting with satisfaction the successful holding of the first Palestinian general elections,

Noting with appreciation the work of the Office of the United Nations Special Coordinator in the Occupied Territories and its positive contribution,

Welcoming the convening of the Conference to Support Middle East Peace in Washington, D.C., on 1 October 1993, as well as all follow-up meetings and the international mechanisms established to provide assistance to the Palestinian people,

Concerned about the serious difficulties facing the Middle East peace process, including the lack of implementation of the agreements reached and the deterioration of the socio-economic conditions of the Palestinian people as a result of the Israeli positions and measures,

1. *Reaffirms* the necessity of achieving a peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, in all its aspects;

2. *Expresses its full support* for the ongoing peace process which began in Madrid and the Declaration of Principles on Interim Self-Government Arrangements of 1993,[109] as well as the subsequent implementation agreements, including the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip of 1995,[110] and expresses the hope that the process will lead to the establishment of a comprehensive, just and lasting peace in the Middle East;

3. *Stresses* the necessity for commitment to the principle of land for peace and the implementation of Security Council resolutions 242 (1967) and 338 (1973), which form the basis of the Middle East peace process, and the need for the immediate and scrupulous implementation of the agreements reached between the parties, including the redeployment of the Israeli forces from the West Bank and the commencement of the negotiations on the final settlement;

4. *Calls upon* the concerned parties, the co-sponsors of the peace process and other interested parties, as well as the entire international community to exert all the necessary efforts and initiatives to bring the peace process back on track and to ensure its continuity and success;

5. *Stresses* the need for:

(*a*) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination;

(*b*) The withdrawal of Israel from the Palestinian territory occupied since 1967;

6. *Also stresses* the need for resolving the problem of the Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948;

7. *Urges* Member States to expedite the provision of economic and technical assistance to the Palestinian people during this critical period;

8. *Emphasizes* the importance for the United Nations to play a more active and expanded role in the current peace process and in the implementation of the Declaration of Principles;

9. *Requests* the Secretary-General to continue his efforts with the parties concerned and, in consultation with the Security Council, for the promotion of peace in the region and to submit progress reports on developments in this matter.

68th plenary meeting
9 December 1997

52/53. Jerusalem

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/168 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990, 46/82 B of 16 December 1991, 47/63 B of 11 December 1992, 48/59 A of 14 December 1993, 49/87 A of 16 December 1994, 50/22 A of 4 December 1995 and 51/27 of 4 December 1996, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, *inter alia*, decided not to recognize the "Basic Law" and called upon those States which had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General,[111]

1. *Determines* that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. *Deplores* the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980) and their refusal to comply with the provisions of that resolution;

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[111] A/52/467.

3. *Calls once more upon* those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

68th plenary meeting
9 December 1997

52/54. The situation in the Middle East: the Syrian Golan

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General,[112]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force, in accordance with international law and the Charter of the United Nations,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[113] to the occupied Syrian Golan,

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Stressing the illegality of the Israeli settlement construction and activities in the occupied Syrian Golan since 1967,

Noting with satisfaction the convening at Madrid on 30 October 1991 of the Peace Conference on the Middle East, on the basis of Security Council resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the formula of land for peace,

Expressing grave concern over the halt in the peace process on the Syrian and Lebanese tracks, and expressing the hope that peace talks will soon resume from the point they had reached,

1. *Declares* that Israel has failed so far to comply with Security Council resolution 497 (1981);

2. *Declares also* that the Israeli decision of 14 December 1981 to impose its laws, jurisdiction and administration on the occupied Syrian Golan is null and void and has no validity whatsoever, as confirmed by the Security Council in its resolution 497 (1981), and calls upon Israel to rescind it;

3. *Reaffirms its determination* that all relevant provisions of the Regulations annexed to the Hague Convention of 1907,[114] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[113] continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

4. *Determines once more* that the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling block in the way of achieving a just, comprehensive and lasting peace in the region;

5. *Calls upon* Israel to resume the talks on the Syrian and Lebanese tracks and to respect the commitments and undertakings reached during the previous talks;

6. *Demands once more* that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions;

7. *Calls upon* all the parties concerned, the co-sponsors of the peace process and the entire community to exert all the necessary efforts to ensure the resumption of the peace process and its success;

8. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

68th plenary meeting
9 December 1997

52/78. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[115]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all its subsequent resolutions concerning the implementation of the Declaration, most recently resolution 51/146 of 13 December 1996, as well as the relevant resolutions of the Security Council,

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[112] Ibid.

[113] United Nations, *Treaty Series*, vol. 75, No. 973.

[114] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

[115] A/52/23 (Parts I-VII). For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 23*.

Recognizing that the eradication of colonialism is one of the priorities of the Organization for the decade that began in 1990,

Deeply conscious of the need to take, speedily, measures to eliminate the last vestiges of colonialism by the year 2000, as called for in its resolution 43/47 of 22 November 1988,

Reiterating its conviction of the need for the elimination of colonialism, as well as of the need for the total eradication of racial discrimination and violations of basic human rights,

Noting with satisfaction the achievements of the Special Committee in contributing to the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations on decolonization,

Stressing the importance of the participation of the administering Powers in the work of the Special Committee,

Noting with satisfaction the cooperation and active participation of some administering Powers in the work of the Special Committee, as well as their continued readiness to receive United Nations visiting missions in the Territories under their administration,

Noting with concern the negative impact that the non-participation of certain administering Powers has had on the work of the Special Committee, depriving it of an important source of information on the Territories under their administration,

Aware of the pressing need of newly independent and emerging States for assistance from the United Nations and its system of organizations in the economic, social and other fields,

Aware also of the pressing need of the remaining Non-Self-Governing Territories, including in particular the small island Territories, for economic, social and other assistance from the United Nations and the organizations within its system,

Taking special note of the fact that the Special Committee held a Caribbean Regional Seminar to Review the Political, Economic and Social Conditions in the Small Island Non-Self-Governing Territories at St. John's, Antigua and Barbuda, from 21 to 23 May 1997,[116]

1. *Reaffirms* its resolution 1514 (XV) and all other resolutions on decolonization, including its resolution 43/47, in which it declared the decade that began in 1990 as the International Decade for the Eradication of Colonialism, and calls upon the administering Powers, in accordance with those resolutions, to take all necessary steps to enable the peoples of the Territories concerned to exercise fully as soon as possible their right to self-determination, including independence;

2. *Affirms once again* that the continuation of colonialism in any form or manifestation, including economic exploitation, is incompatible with the Charter of the United Nations, the Universal Declaration of Human Rights[117] and the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Reaffirms its determination* to continue to take all steps necessary to bring about the complete and speedy eradication of colonialism and the faithful observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

4. *Affirms once again its support* for the aspirations of the peoples under colonial rule to exercise their right to self-determination, including independence;

5. *Approves* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples covering its work during 1997, including the programme of work envisaged for 1998;[118]

6. *Calls upon* all States, in particular the administering Powers, as well as the specialized agencies and other organizations of the United Nations system, to give effect within their respective spheres of competence to the recommendations of the Special Committee for the implementation of the Declaration and other relevant resolutions of the United Nations;

7. *Calls upon* the administering Powers to ensure that foreign economic activities in the Non-Self-Governing Territories under their administration are directed to assist the peoples of those Territories in the exercise of their right to self-determination;

8. *Takes note* of the decision of some of the administering Powers to close or reduce some of the military bases in the Non-Self-Governing Territories;

9. *Calls upon* the administering Powers to eliminate the remaining military bases in the Non-Self-Governing Territories in compliance with the relevant resolutions of the General Assembly, and urges them not to involve those Territories in any offensive acts or interference against other States;

10. *Urges* all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide moral and material assistance to the peoples of colonial Territories, and requests that the administering Powers, in consultation with the Governments of the Territories under their administration, take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of those Territories;

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[116] See A/AC.109/2089.

[117] Resolution 217 A (III).

[118] A/52/23 (Part I), chap. I, sect. J. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 23*.

11. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out those actions approved by the General Assembly regarding the International Decade for the Eradication of Colonialism in all Territories that have not yet exercised their right to self-determination, including independence, and in particular:

(*a*) To formulate specific proposals for the elimination of the remaining manifestations of colonialism and to report thereon to the General Assembly at its fifty-third session;

(*b*) To continue to examine the implementation by Member States of resolution 1514 (XV) and other relevant resolutions on decolonization;

(*c*) To continue to pay special attention to the small Territories, in particular through the dispatch of regular visiting missions, and to recommend to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination and independence;

(*d*) To take all necessary steps to enlist worldwide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

12. *Calls upon* the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate and to receive visiting missions to the Territories to secure first-hand information and to ascertain the wishes and aspirations of their inhabitants;

13. *Also calls upon* the administering Powers that have not participated in the work of the Special Committee to do so at its 1998 session;

14. *Requests* the Secretary-General, the specialized agencies and other organizations of the United Nations system to provide economic, social and other assistance to the Non-Self-Governing Territories and to continue to do so, as appropriate, after they exercise their right to self-determination, including independence;

15. *Welcomes* the decision of the Secretary-General of 27 October 1997:[119]

(*a*) That the substantive responsibilities for the decolonization programme will be maintained in the Department of Political Affairs of the Secretariat;

(*b*) To establish a stand-alone decolonization unit with the necessary resources to provide substantive input for the work of the Special Committee;

(*c*) That the Department of General Assembly Affairs and Conference Services of the Secretariat will be responsible for the technical secretariat servicing relating to the decolonization programme, as outlined in his letter of 17 March 1997;[120]

and his commitment to implement subprogramme 1.6 of the medium-term plan for the period 1998-2001;[121]

16. *Requests* the Secretary-General to provide the Special Committee with the facilities and services required for the implementation of the present resolution, as well as of the other resolutions and decisions on decolonization adopted by the General Assembly and the Special Committee.

69th plenary meeting
10 December 1997

52/79. Dissemination of information on decolonization

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization,[122]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and other resolutions and decisions of the United Nations concerning the dissemination of information on decolonization, in particular General Assembly resolution 51/147 of 13 December 1996,

Recognizing the need for flexible, practical and innovative approaches towards reviewing the options of self-determination for the peoples of Non-Self-Governing Territories with a view to achieving complete decolonization by the year 2000,

Reiterating the importance of dissemination of information as an instrument for furthering the aims of the Declaration, and mindful of the role of world public opinion in effectively assisting the peoples of Non-Self-Governing Territories to achieve self-determination,

Recognizing the role played by the administering Powers in transmitting information to the Secretary-General in accordance with the terms of Article 73 (*e*) of the Charter of the United Nations,

Aware of the role of non-governmental organizations in the dissemination of information on decolonization,

1. *Takes note* of the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to

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[119] A/52/531.

[120] See A/51/829, sect. C.

[121] See A/51/6/Rev. 1 and Corr.1. For the final text, see *Official Records of the General Assembly, Fifty-first Session, Supplement No. 6.*

[122] A/52/23 (Part II), chap. III. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 23.*

Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization;[122]

2. *Considers it important* to continue its efforts to ensure the widest possible dissemination of information on decolonization, with particular emphasis on the options of self-determination available for the peoples of Non-Self-Governing Territories;

3. *Requests* the Department of Political Affairs and the Office of Communications and Public Information of the Secretariat to take into account the suggestions of the Special Committee to continue their efforts to take measures through all the media available, including publications, radio and television, as well as the Internet, to give publicity to the work of the United Nations in the field of decolonization and, *inter alia*:

(*a*) To continue to collect, prepare and disseminate, particularly to the Territories, basic material on the issue of self-determination of the peoples of Non-Self-Governing Territories;

(*b*) To seek the full cooperation of the administering Powers in the discharge of the tasks referred to above;

(*c*) To maintain a working relationship with the appropriate regional and intergovernmental organizations, particularly in the Pacific and Caribbean regions, by holding periodic consultations and exchanging information;

(*d*) To encourage the involvement of non-governmental organizations in the dissemination of information on decolonization;

(*e*) To report to the Special Committee on measures taken in the implementation of the present resolution;

4. *Requests* all States, including the administering Powers, to continue to extend their cooperation in the dissemination of information referred to in paragraph 2 above;

5. *Requests* the Special Committee to follow the implementation of the present resolution and to report thereon to the General Assembly at its fifty-third session.

69th plenary meeting
10 December 1997

52/149. United Nations International Day in Support of Victims of Torture

The General Assembly,

Recalling Economic and Social Council decision 1997/251 of 22 July 1997, in preparing for the fiftieth anniversary of the Universal Declaration of Human Rights,[123]

Proclaims 26 June United Nations International Day in Support of Victims of Torture, with a view to the total eradication of torture and the effective functioning of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[124] which entered into force on 26 June 1987.

70th plenary meeting
12 December 1997

52/150. The situation in Bosnia and Herzegovina

The General Assembly,

Recalling its resolutions 46/242 of 25 August 1992, 47/1 of 22 September 1992, 47/121 of 18 December 1992, 48/88 of 20 December 1993, 49/10 of 3 November 1994 and 51/203 of 17 December 1996 and all relevant resolutions of the Security Council regarding the situation in Bosnia and Herzegovina,

Reaffirming its support for the independence, sovereignty, legal continuity and territorial integrity of Bosnia and Herzegovina, within its internationally recognized borders,

Also reaffirming its support for the constitutional rights of the three constituent peoples and others in Bosnia and Herzegovina as a united country consisting of two multi-ethnic entities,

Welcoming the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[125] signed in Paris on 14 December 1995,

Also welcoming the efforts for the respect, promotion and protection of human rights in all of Bosnia and Herzegovina and for the functioning of the common institutions of Bosnia and Herzegovina, in accordance with the relevant provisions of the Peace Agreement,

Supporting those institutions and organizations of Bosnia and Herzegovina which are engaged in the implementation of the Peace Agreement and the process of reconciliation and reintegration,

Concerned by the continuing obstructions faced by refugees and displaced persons wishing to return to their homes, emphasizing the need for all parties and the relevant States and international organizations to create the conditions necessary to facilitate return, and stressing the need for a regional approach to the issue of refugees and displaced persons,

Expressing support for the efforts of the United Nations High Commissioner for Refugees in facilitating the return of refugees and displaced persons throughout Bosnia and Herzegovina and in particular the Open City project carried out by the High Commissioner,

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[123] Resolution 217 A (III).

[124] Resolution 39/46, annex.

[125] See A/50/790-S/1995/999; see *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/999.

Supporting the efforts of the Coalition for Return in facilitating the objectives of annex 7 of the Peace Agreement,

Having considered the fourth annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991,[126] noting the varying degrees of cooperation and compliance described therein, and stressing the importance and urgency of the work of the International Tribunal as an element of the process of reconciliation in Bosnia and Herzegovina and in the region as a whole,

Noting that the conclusions of the Peace Implementation Conference,[127] held at Bonn, Germany, on 9 and 10 December 1997, state that all persons indicted for war crimes must be handed over to the International Tribunal for justice to be dispensed impartially, under the terms of the Peace Agreement and Security Council resolutions, and that they draw particular attention to the failure to carry out that obligation by the authorities of the Republika Srpska and the Federal Republic of Yugoslavia,

Supporting fully the efforts of the International Tribunal aimed at the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991, demanding that States and parties to the Peace Agreement meet their obligations to cooperate fully with the Tribunal, as required by Security Council resolutions 827 (1993) of 25 May 1993 and 1022 (1995) of 22 November 1995, including with respect to surrendering persons sought by the Tribunal, and welcoming the efforts to secure compliance with the orders of the Tribunal, consistent with the Security Council mandate,

Welcoming the mutual recognition among all the successor States to the former Socialist Federal Republic of Yugoslavia within their internationally recognized borders, and stressing the importance of full normalization of relations, including the unconditional establishment of diplomatic relations among those States in accordance with the Peace Agreement and the settlement of issues relating to the succession of States,

Stressing the importance of full respect for human rights and fundamental freedoms for the success of the peace efforts for the region, and calling upon the Governments and the authorities in the region, as well as relevant international organizations, to facilitate such full respect,

Noting that democratization in the region will enhance the prospects for a lasting peace and help to guarantee full respect for human rights in Bosnia and Herzegovina and in the region,

Welcoming the holding of elections throughout Bosnia and Herzegovina under the supervision of the Organization for Security and Cooperation in Europe on 13 and 14 September 1997 for municipal or local governments, and calling for full implementation of the results by the deadline of 31 December 1997,

Noting the positive impact of the three previous pledging conferences, held on 21 December 1995, 13 and 14 April 1996 and 25 July 1997 and chaired by the World Bank and the European Union, on the peace process and reintegration of the country as well as the reconstruction effort, stressing the importance and urgency of providing the pledged financial assistance and technical cooperation in reconstruction efforts and the role of economic revitalization in the process of reconciliation, in the improvement of living conditions and in the maintenance of a durable peace in Bosnia and Herzegovina and in the region,

Stressing that the provision of reconstruction aid and financial assistance is conditional upon the parties meeting their obligations under the Peace Agreement,

Welcoming in particular the important efforts of the European Union and bilateral and other donors to provide humanitarian and economic assistance for reconstruction,

Underlining that the full, comprehensive and consistent implementation of the Peace Agreement is vital for the maintenance of international peace and security,

1. *Expresses its full support* for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[125] which constitutes the key mechanism for the achievement of a durable and just peace in Bosnia and Herzegovina, leading to stability and cooperation in the region and the reintegration of Bosnia and Herzegovina at all levels;

2. *Welcomes* the successful implementation of certain aspects of the Peace Agreement, including the establishment of a lasting cessation of hostilities, and the successful holding of municipal elections on 13 and 14 September 1997 throughout Bosnia and Herzegovina;

3. *Reiterates its demand* for the full, comprehensive and consistent implementation of the Peace Agreement;

4. *Supports fully* the coordinated efforts of the High Representative in the implementation of the peace process in Bosnia and Herzegovina, in accordance with the Peace Agreement, and calls upon all parties to cooperate fully and in good faith with him;

5. *Welcomes* the conclusions of the Peace Implementation Conference,[127] held at Bonn, Germany, on 9 and 10 December 1997, and calls upon all parties as signatories to the Peace Agreement and others concerned to implement fully those conclusions and to continue to work for a peaceful, reintegrated and stable Bosnia and Herzegovina, in accordance with the Peace Agreement;

6. *Also welcomes* the conclusions of the Ministerial Meeting of the Steering Board of the Peace Implementation

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[126] See A/52/375-S/1997/729; see *Official Records of the Security Council, Fifty-second Year, Supplement for July, August and September 1997*, document S/1997/729.

[127] See A/52/728-S/1997/979, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for October, November and December 1997*, document S/1997/979.

Council, held at Sintra, Portugal, on 30 May 1997,[128] and demands their full implementation;

7. *Calls upon* all parties to cooperate fully, and in good faith, in ensuring the substantial functioning of all of the common institutions of Bosnia and Herzegovina in accordance with the relevant provisions of the Peace Agreement, and urges the relevant international organizations to continue to provide assistance to meet the infrastructural needs of the new common institutions of Bosnia and Herzegovina;

8. *Recognizes* that responsibility for consolidating the peace lies primarily with the authorities of Bosnia and Herzegovina,

9. *Also recognizes* that the role of the international community remains essential, and welcomes the readiness of the international community to continue its efforts;

10. *Underlines* that the assistance provided by the international community remains strictly conditional upon compliance with the Peace Agreement and subsequent obligations;

11. *Welcomes* the vital contribution of the multinational Stabilization Force in providing a secure environment for the implementation of civilian aspects of the Peace Agreement, and calls upon all parties to cooperate fully with it;

12. *Also welcomes* the conclusion of the Peace Implementation Conference[127] that there is an emerging consensus on the need for an international military presence to continue beyond June 1998, considering it indispensable for the maintenance of the stable security environment necessary for the implementation of civilian aspects of the Peace Agreement;

13. *Expresses its full support* for the efforts of the United Nations International Police Task Force in carrying out its mandate, and calls for the fullest cooperation by all parties in this regard;

14. *Stresses* the importance of the full, comprehensive and consistent implementation of the Peace Agreement, including cooperation and compliance with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, the establishment of the necessary conditions for the voluntary return of refugees and displaced persons and the establishment of the necessary conditions for freedom of movement;

15. *Urges* all the parties to implement fully and without delay the results of recent municipal elections in all municipalities of Bosnia and Herzegovina, in particular through the constitution of councils, and to establish functioning municipal assemblies that reflect the election results, in accordance with the relevant provisions of the Peace Agreement;

16. *Underlines* the importance of establishing, strengthening and expanding throughout all of Bosnia and Herzegovina free and pluralistic media;

17. *Insists* upon the need to surrender all indictees to the International Tribunal for trial, notes that the Tribunal has the authority to address individual responsibility for the perpetration of the crime of genocide, crimes against humanity and other serious violations of international humanitarian law, including in Bosnia and Herzegovina, and underlines the obligation of all the parties to hand over to the Tribunal all indicted persons in territories under their control and otherwise fully to comply with the orders of the Tribunal and to cooperate with the work of the Tribunal, including with exhumations and other investigative acts, in accordance with article 29 of the statute of the Tribunal, with all relevant Security Council resolutions and in accordance with the relevant provisions of the Peace Agreement, in particular the Constitution of Bosnia and Herzegovina;

18. *Urges* Member States, taking into account the orders and requests of the International Tribunal, to offer the Tribunal their full support, including financial support, in order to ensure the completion of the purpose of the Tribunal, and to carry out their obligations under the statute of the Tribunal and all relevant Security Council resolutions;

19. *Reaffirms once again* the right of refugees and displaced persons to return voluntarily to their homes of origin in accordance with the Peace Agreement, in particular its annex 7, and the realization of the same in cooperation with the Office of the United Nations High Commissioner for Refugees and host countries, calls upon all parties to establish immediately the conditions necessary for the return of refugees and displaced persons to their homes and for the freedom of movement and communication of all the citizens of Bosnia and Herzegovina and upon the relevant international organizations to enhance the conditions to facilitate return, in accordance with the relevant provisions of the Peace Agreement, in particular the Constitution of Bosnia and Herzegovina, and welcomes continued and new efforts by the United Nations agencies, the European Union, bilateral and other donors and non-governmental organizations to establish and implement projects designed to facilitate the voluntary and orderly return of refugees and displaced persons to all regions of Bosnia and Herzegovina, including projects that would help to create a safe and secure environment with increased economic opportunity;

20. *Encourages* the acceleration of the peaceful, orderly and phased return of refugees and displaced persons, including to areas where they would be in the ethnic minority, strongly condemns all acts of intimidation, violence and killings, including those acts designed to discourage the voluntary return of refugees and displaced persons, and demands that such acts be investigated and prosecuted;

21. *Reaffirms once again its support* for the principle that all statements and commitments made under duress, in

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[128] See *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/434, annex.

particular those regarding land and property, are wholly null and void, in accordance with the relevant provisions of the Peace Agreement, and supports the effective engagement of the Commission for Real Property Claims of Displaced Persons and Refugees, in compliance with its mandate;

22. *Calls* for the repeal of all property laws that prevent pre-war residents from returning to their homes and for ensuring the passage of non-discriminatory legislation;

23. *Emphasizes* the importance of economic revitalization and reconstruction for the successful consolidation of the peace process in Bosnia and Herzegovina;

24. *Stresses* that the obligation to cooperate fully with the Supervisor for Brčko and his decisions is an essential obligation for both of the entities, and notes that the conclusions of the Bonn Peace Implementation Conference state that the outcome of the Arbitration Award in March 1998 will be significantly affected by the degree of compliance shown by the parties;

25. *Welcomes* the notable progress in the implementation of articles II and IV of the Agreement on Regional Stabilization and the successful completion of declared reduction liabilities under the article IV agreement, and urges all parties to continue to pursue the full implementation of their obligations;

26. *Stresses* the need for timely information about the level of cooperation and compliance with the International Tribunal and its orders, the status and programme for the return of refugees and displaced persons to and within Bosnia and Herzegovina, and the status and implementation of the Agreement on Subregional Arms Control;

27. *Commends* the efforts of the international community, including the Council of Europe, the European Union, the European Community Monitoring Mission, the European Bank for Reconstruction and Development, the International Committee of the Red Cross, the International Monetary Fund, the Islamic Development Bank, the multinational Stabilization Force, non-governmental organizations, the Organization of the Islamic Conference, the Organization for Security and Cooperation in Europe, the Peace Implementation Council and the World Bank, in their roles in the implementation of the Peace Agreement;

28. *Also commends*, in particular, the efforts of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, the office of the High Representative for Implementation of the Peace Process in Bosnia and Herzegovina, the office of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia, the Office of the United Nations High Commissioner for Refugees, the office of the United Nations High Commissioner for Human Rights, the United Nations International Police Task Force, the United Nations Mission in Bosnia and Herzegovina, the United Nations Development Programme and the other United Nations agencies in the peace process, and encourages their further engagement in the peace process in Bosnia and Herzegovina;

29. *Decides* to include in the provisional agenda at its fifty-third session the item entitled "The situation in Bosnia and Herzegovina".

71st plenary meeting
15 December 1997

52/167. Safety and security of humanitarian personnel

The General Assembly,

Reaffirming its resolution 46/182 of 19 December 1991 on the strengthening of the coordination of humanitarian emergency assistance of the United Nations,

Deeply concerned by the growing number of complex humanitarian emergencies, in particular armed conflicts and post-conflict situations, in the last few years, which have dramatically increased the loss of human lives, suffering of victims, flows of refugees and internally displaced persons, as well as material destruction, which disrupt the development efforts of countries affected, particularly those of developing countries,

Conscious of the need for the international community to assist and protect the affected civilian population, including refugees and internally displaced persons, in complex humanitarian emergencies, in particular armed conflicts and post-conflict situations,

Conscious also of the great importance of humanitarian and other recovery and rehabilitation assistance in post-conflict situations, the voluntary return and reintegration of refugees and internally displaced persons, the return to civilian life of former combatants and the re-establishment of respect for human rights, the need to ensure a smooth transition from relief to rehabilitation and the promotion of economic and social development,

Taking note of the statement by the President of the Security Council of 19 June 1997,[129] and the views expressed during the open debate at the 3778th meeting of the Security Council on 21 May 1997, on protection for humanitarian assistance to refugees and others in conflict situations,

Noting the role that a permanent international criminal court could play in bringing to justice those responsible for serious violations of international humanitarian law, and commending in this respect resolution 51/207 of 17 December 1996 on the establishment of a permanent international criminal court,

Aware that humanitarian operations are generally implemented through close cooperation among Governments and the United Nations, its agencies, other international organizations and non-governmental organizations,

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[129] S/PRST/1997/34; see *Resolutions and Decisions of the Security Council, 1997*.

Commending the courage of those who take part in humanitarian operations, often at great personal risk,

Deploring the rising toll of casualties among humanitarian personnel in complex humanitarian emergencies, in particular armed conflicts and post-conflict situations, as well as the physical violence and harassment to which those participating in humanitarian operations are too frequently exposed,

1. *Strongly stresses* the urgent need to ensure respect for and promotion of principles and norms of international humanitarian law, including those related to the safety and security of humanitarian personnel, both international and local;

2. *Strongly condemns* any act or failure to act which obstructs or prevents humanitarian personnel from discharging their humanitarian functions, or which entails their being subjected to threats, the use of force or physical attack frequently resulting in injury or death;

3. *Calls upon* all Governments and parties in complex humanitarian emergencies, in particular armed conflicts and post-conflict situations, in countries where humanitarian personnel are operating, in conformity with the relevant provisions of international law and national laws, to cooperate fully with the United Nations and other humanitarian agencies and organizations and to ensure the safe and unhindered access of humanitarian personnel in order to allow them to perform efficiently their task of assisting the affected civilian population, including refugees and internally displaced persons;

4. *Calls upon* all Governments and parties in countries where humanitarian personnel are operating to take all possible measures to ensure that the lives and well-being of humanitarian personnel are respected and protected;

5. *Reaffirms* the necessity for all humanitarian personnel to respect the national laws of the countries in which they are operating;

6. *Urges* all States to ensure that any threat or act of violence committed against humanitarian personnel on their territory is fully investigated and to take all appropriate measures, in accordance with international law and national legislation, to ensure that the perpetrators of such acts are prosecuted;

7. *Welcomes* the opportunity to discuss the respect for and security of humanitarian personnel at the First Periodical Meeting on International Humanitarian Law, to be held at Geneva in January 1998, and invites all States parties to the Geneva Conventions of 12 August 1949[130] to take an active part in that meeting;

8. *Encourages* all States to become parties to and to fully respect the provisions of the relevant international instruments, including the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994,[131]

9. *Requests* the Secretary-General to present a report to the General Assembly at its fifty-third session on the safety and security situation of all humanitarian personnel and measures to be taken to improve it, taking into account the views of Governments, the Inter-Agency Standing Committee, other relevant humanitarian actors, as well as the United Nations Security Coordinator.

73rd plenary meeting
16 December 1997

52/168. Strengthening of the coordination of emergency humanitarian assistance of the United Nations

The General Assembly,

Recalling its resolutions 46/182 of 19 December 1991 and 51/194 of 17 December 1996 and Economic and Social Council resolution 1995/56 of 28 July 1995,

Taking note of the note by the Secretary-General,[132]

Requests the Secretary-General to report, through the Economic and Social Council, to the General Assembly at its fifty-third session in 1998 on the further progress by the Inter-Agency Standing Committee in the strengthening of the capacity of the United Nations in humanitarian assistance.

73rd plenary meeting
16 December 1997

52/169. Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: special economic assistance to individual countries or regions

A

SPECIAL ASSISTANCE FOR THE ECONOMIC RECOVERY AND RECONSTRUCTION OF THE DEMOCRATIC REPUBLIC OF THE CONGO

The General Assembly,

Noting that the Democratic Republic of the Congo is a least developed country with severe economic and social problems arising from its weak economic infrastructure as a result of years of mismanagement,

Noting also that the Democratic Republic of the Congo encounters serious difficulties in sustaining reconstruction and development programmes in spite of efforts that are being made by the Government and people of the Democratic Republic of the Congo,

Deeply concerned about the extensive destruction of life and property, as well as the severe damage to infrastructure and the environment, suffered by the Democratic Republic of the Congo as the result of recent events,

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[130] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[131] Resolution 49/59, annex.

[132] A/52/443.

Bearing in mind that the Democratic Republic of the Congo also suffers from problems encountered by a country that has received thousands of refugees from neighbouring countries,

Recognizing the need for the Democratic Republic of the Congo to take all possible measures to ensure the safety and security of refugees and displaced persons and safe and unrestricted access for humanitarian assistance, in accordance with the principles and norms of humanitarian law and in conformity with national law,

Gravely concerned about the continuation of armed confrontation in the Great Lakes region, threatening regional peace and stability, and the attendant displacement of families and interruptions in the process of repatriating refugees,

Taking note of the Programme of Action for the Least Developed Countries for the 1990s,[133] adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990, and the mutual commitment entered into on that occasion,

Convinced that the Democratic Republic of the Congo needs urgent international assistance to support the rehabilitation and reconstruction of its damaged economy,

Welcoming the "Friends of the Congo" meeting chaired by the World Bank at Brussels on 4 December 1997 as an important step in the establishment of a dialogue between the Government of the Democratic Republic of the Congo and the donor community on the future development of the Democratic Republic of the Congo,

1. *Recognizes* the ongoing efforts undertaken by the Government and people of the Democratic Republic of the Congo for national rehabilitation and reconstruction, and encourages the Government of the Democratic Republic of the Congo to pursue sound macroeconomic policies and to promote good governance and the rule of the law;

2. *Invites* the Government of the Democratic Republic of the Congo to cooperate with the United Nations, its specialized agencies and other organizations in addressing the need for rehabilitation and reconstruction and reaffirming the need for respect for the provisions of humanitarian law;

3. *Invites* all Member States, the specialized agencies and other organizations of the United Nations system, as well as international development and financial institutions, to assist in the rehabilitation and reconstruction of the Democratic Republic of the Congo and to contribute appropriately, through bilateral or multilateral channels, towards the implementation of that rehabilitation and reconstruction in accordance with national priorities;

4. *Calls upon* regional and interregional organizations, as well as international development and financial institutions, to continue to give consideration to the establishment of a programme of assistance for the Democratic Republic of the Congo, in accordance with its national priorities;

5. *Requests* the appropriate organizations and programmes of the United Nations system to review regularly their current and future programmes of assistance to the Democratic Republic of the Congo and to cooperate closely in organizing an effective international programme of assistance;

6. *Invites* the executive boards of the United Nations funds and programmes to consider the special needs of the Democratic Republic of the Congo;

7. *Welcomes* the efforts of the United Nations Development Programme and other United Nations agencies, associated bodies and other humanitarian organizations and agencies, including relevant non-governmental organizations, in assisting the Democratic Republic of the Congo to restore basic services and the infrastructure of the country;

8. *Calls upon* the Government of the Democratic Republic of the Congo to facilitate, in accordance with its national priorities, the work of national and international governmental and non-governmental organizations;

9. *Requests* the Secretary-General:

(*a*) To promote participation in and support for a programme of financial and material assistance to the Democratic Republic of the Congo to enable it to meet its urgent needs for economic recovery and reconstruction;

(*b*) To submit to the General Assembly at its fifty-third session a report on the actions taken pursuant to the present resolution;

10. *Decides* to include in the provisional agenda of its fifty-third session, under the item entitled "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance", a sub-item entitled "Special assistance for the economic recovery and reconstruction of the Democratic Republic of the Congo".

73rd plenary meeting
16 December 1997

B

SPECIAL ASSISTANCE TO CENTRAL AFRICAN COUNTRIES RECEIVING REFUGEES

The General Assembly,

Recalling its resolution 49/24 of 2 December 1994,

Deeply concerned by the massive flow of refugees, returnees and other displaced persons in Central Africa,

Welcoming the prospects for the voluntary return, repatriation and reintegration of refugees in safety and dignity and efforts made to find durable solutions to their plight,

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[133] A/CONF.147/18, part one.

Recognizing the need for States to create conditions conducive to an early and sustainable solution to the flow of refugees, returnees and other displaced persons,

Bearing in mind the evident impact of these massive flows of refugees on the basic infrastructure and on the life and property of local populations in the host countries,

Also bearing in mind the deterioration of the economic, social and health infrastructure and the ecological impact in the areas receiving refugees,

Realizing the importance of assisting the host countries, in particular those countries that have been hosting refugees for a long time, to remedy environmental deterioration and the negative effects on public services and the development process,

Gravely concerned by the effects which epidemics are having on the health of refugees and local communities in certain areas,

Observing that the humanitarian aid dispatched should as far as possible take into consideration the scale of the needs of the local populations,

Recognizing that the countries receiving refugees, most of them least developed countries, continue to experience an extremely critical economic situation,

Expressing again its appreciation to the countries which have received refugees for the sacrifices which they are making in granting refuge and hospitality to them,

Stressing the need to continue providing special assistance to the local populations of the countries receiving refugees,

1. *Congratulates* the Secretary-General for the efforts he has made to draw the attention of the international community to the situation of refugees in Central African countries;

2. *Expresses its gratitude* to all States, organizations and bodies of the United Nations and intergovernmental and non-governmental organizations that have done so for the financial, technical and material assistance they have been delivering to those countries that have been receiving refugees since the onset of the crisis and for the humanitarian assistance they have continued to render to refugees and the host countries, and calls upon them to continue to provide assistance for the implementation of programmes intended for the rehabilitation of the environment and social infrastructure in areas affected by the massive presence of refugees in those host countries;

3. *Expresses its deep concern* at the serious social, economic, health and ecological impact that the massive and unexpected presence of refugees can have;

4. *Calls upon* all African Governments and in particular those of Central Africa to do their utmost to assist refugees, notwithstanding the constraints which their limited resources place upon them;

5. *Urges* the Governments of the region and all concerned parties to provide safe and unhindered access for United Nations and other humanitarian personnel to the populations in need in all areas of the region;

6. *Calls upon* all States and intergovernmental and non-governmental organizations and the international financial and development institutions to facilitate the restoration of the basic services destroyed in the countries receiving refugees;

7. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report on the follow-up to the present resolution.

73rd plenary meeting
16 December 1997

C

ASSISTANCE FOR THE RECONSTRUCTION AND DEVELOPMENT OF EL SALVADOR

The General Assembly,

Considering the resolutions recognizing the importance of international cooperation for El Salvador and urging Member States and international institutions to continue to provide assistance to the Government of El Salvador in consolidating peace, democracy and development in the country, particularly resolutions 50/58 C of 12 December 1995 and 51/199 of 17 December 1996,

Having considered the report of the Secretary-General on assistance for the reconstruction and development of El Salvador,[134] which describes activities undertaken with a view to achieving those goals, and the report of the Secretary-General on the assessment of the peace process in El Salvador,[135] which stresses the implementation of the commitments laid down in the Peace Agreements and the progress and profound transformation that have taken place in the country since 1992,

Noting with satisfaction the renewed expression by the Government of El Salvador and all political forces of their political will to consolidate peace and development in a complex context and the efforts to develop programmes and projects of economic and social benefit aimed at the maintenance and consolidation of peace, the strengthening of democracy and sustainable development,

Recognizing that the reintegration of former combatants and demobilized members of the armed forces continues to be one of the most complex aspects of the social and economic commitments and that the sustainability of any such programme is linked to broader challenges, such as poverty relief, employment generation, social integration, public security and efficient, transparent and speedy administration of justice,

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[134] A/52/433.

[135] A/51/917.

Recognizing also that, in spite of national efforts and the support given by the international community, the implementation of priority political, economic, social and environmental programmes and projects in the process of consolidating peace continues to be affected by, *inter alia*, the limited availability of financial resources, delays in the disbursement of internal and external funds, lack of continuity, deficiencies in the implementation of other initiatives having an impact on the implementation of a number of projects and by the special characteristics of a complex process,

1. *Takes note with approval* of the reports of the Secretary-General;

2. *Again expresses its gratitude* to the organs, organizations, funds and programmes of the United Nations system, to the donor community and to international development and financing institutions, both governmental and non-governmental, for the technical and financial assistance they have provided to El Salvador to execute programmes and projects for the implementation of the social and economic commitments and the strengthening of democracy, in support of and as a complement to efforts to consolidate peace;

3. *Reaffirms* that the continuation of programmes for the strengthening of democratic institutions and the promotion of sustainable development constitute the collective goals, aspirations and needs of the country in maintaining and advancing the consolidation of peace, democracy and sustainable development in El Salvador;

4. *Urges* the Government of El Salvador and all political forces to make every effort to support the development of medium-term and long-term national programmes and strategies, particularly social welfare projects, designed to improve the lives of the most vulnerable segments of the population;

5. *Recognizes* the need to continue to respond to the situation in El Salvador and the need for international support and cooperation as a complement to national efforts to promote the consolidation of a fully democratic State;

6. *Reaffirms* that external cooperation plays an important role in the consolidation of the peace process, the strengthening of democracy and sustainable development in El Salvador, and consequently appeals to the international community, particularly to the relevant organs of the United Nations system, international financial organizations and donor countries, which have contributed so much to the profound changes achieved in El Salvador, to continue to provide political, technical and financial support for achieving the goals, aspirations and needs of the Salvadoran nation;

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution, and decides to consider at that session the question of assistance and cooperation for the sustainable development of El Salvador.

73rd plenary meeting
16 December 1997

D

ASSISTANCE FOR THE RECONSTRUCTION AND DEVELOPMENT OF LEBANON

The General Assembly,

Recalling its decision 48/450 of 21 December 1993,

Also recalling Economic and Social Council resolutions in which the Council called upon the specialized agencies and other organizations and bodies of the United Nations system to expand and intensify their programmes of assistance in response to the urgent needs of Lebanon,

Reaffirming Economic and Social Council resolution 1996/32 of 25 July 1996 and General Assembly resolution 51/30 C of 5 December 1996,

Aware of the magnitude of the requirements of Lebanon resulting from the extensive destruction of its infrastructure, which is impeding national rehabilitation and reconstruction efforts and adversely affecting economic and social conditions,

Reaffirming the pressing need to continue to assist the Government of Lebanon in the reconstruction of the country and the recovery of its human and economic potential,

1. *Appeals* to all Member States and all organizations of the United Nations system to intensify their efforts with a view to considering an increase of all forms of support, including financial grants and soft loans given for the reconstruction and development of Lebanon, in particular, donor countries are requested to consider playing a full part in the consultative group to be established on the rehabilitation and reconstruction of Lebanon;

2. *Calls upon* all organizations and programmes of the United Nations system to support governmental requirements for national capacity-building and institutional renewal in the areas of social reconstruction and development, environmental management, public services provision and support for private-sector development, and for implementing priority field-based programmes in the rehabilitation and reintegration of displaced persons and in the reconstruction and development of Baalbeck-Hermel and the south Lebanon region;

3. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

73rd plenary meeting
16 December 1997

E

ASSISTANCE FOR THE REHABILITATION AND RECONSTRUCTION OF LIBERIA

The General Assembly,

Recalling its resolutions 45/232 of 21 December 1990, 46/147 of 17 December 1991, 47/154 of 18 December 1992, 48/197 of 21 December 1993, 49/21 E of 20 December 1994, 50/58 A of 12 December 1995 and 51/30 B of 5 December 1996,

Taking note of the statement by the President of the Security Council of 30 July 1997[136] in which the Council, *inter alia*, welcomed the successful holding of presidential and legislative elections in Liberia on 19 July 1997, and noted with satisfaction the declaration in the joint certification statement by the Secretary-General and the Chairman of the Economic Community of West African States that the electoral process had been free, fair and credible and that the outcome of the elections reflected the will of the Liberian people,

Having considered the report of the Secretary-General,[137]

Commending the Liberian people on their courage, determination and resolve in proceeding with the elections under difficult circumstances,

Commending also the concerted and determined efforts of the Economic Community of West African States, the Organization of African Unity and the United Nations in restoring peace, security and stability in Liberia,

1. *Expresses its gratitude* to all States and intergovernmental and non-governmental organizations for their assistance and support for the Liberian peace process, and urges that such assistance be continued;

2. *Calls upon* all States and intergovernmental and non-governmental organizations to focus attention on the need to provide continued support to Liberia following the successful completion of the peace process so as to promote a culture of sustained peace in Liberia;

3. *Also calls upon* all States and intergovernmental and non-governmental organizations to provide assistance to Liberia in keeping with the "Agenda for Rebuilding Liberia" as submitted by the Government of Liberia during the fourth Ministerial Meeting of the ad hoc Special Conference on Liberia, held at United Nations Headquarters on 3 October 1997 under the chairmanship of the Secretary-General;[138]

4. *Urges* the Government of Liberia to establish conditions essential to the democratic socio-economic development of Liberia, including the return and reintegration of refugees, displaced persons and demobilized soldiers, by honouring its pronouncement to uphold the rule of law, national reconciliation and the promotion of human rights as a national policy;

5. *Commends* the Secretary-General for his continuing efforts to mobilize relief and rehabilitation assistance for Liberia, and requests him:

(*a*) To continue his efforts to mobilize all possible assistance within the United Nations system to help the Government of Liberia in its efforts towards reconstruction and development of Liberia, including the return and reintegration of refugees, displaced persons and demobilized soldiers;

(*b*) To undertake, as soon as possible, in close collaboration with the Government of Liberia, an overall assessment of needs, with the objective of holding a round-table conference of donors for the reconstruction and development of Liberia;

6. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the progress made in the implementation of the present resolution;

7. *Decides* to consider at its fifty-third session the question of international assistance for the rehabilitation and reconstruction of Liberia.

73rd plenary meeting
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F

EMERGENCY ASSISTANCE TO THE SUDAN

The General Assembly,

Recalling its resolutions 43/8 of 18 October 1988 and 43/52 of 6 December 1988, 44/12 of 24 October 1989, 45/226 of 21 December 1990, 46/178 of 19 December 1991, 47/162 of 18 December 1992, 48/200 of 21 December 1993, 49/21 K of 20 December 1994, 50/58 J of 22 December 1995 and 51/30 I of 17 December 1996 on assistance to the Sudan,

Noting the declining contributions to the 1997 consolidated inter-agency appeal for Operation Lifeline Sudan despite the progress made in the Operation, and noting also that considerable relief needs still remain to be addressed, in particular in the areas of non-food assistance, including assistance to combat malaria, and for logistics, emergency recovery, rehabilitation and development,

Recognizing the need in emergency situations to address the continuum of relief, rehabilitation and development so as to reduce dependence on external food aid and other relief services,

Taking note of the report of the Secretary-General,[139]

1. *Acknowledges with appreciation* the cooperation by the Government of the Sudan with the United Nations, including the agreements and arrangements achieved to facilitate relief operations towards improvement of United Nations assistance to affected areas, and encourages the continuation of that cooperation;

2. *Stresses* the need for Operation Lifeline Sudan to be operated with a view to ensuring its efficiency, transparency

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[136] S/PRST/1997/41; see *Resolutions and Decisions of the Security Council, 1997*.

[137] A/52/678.

[138] See *Official Records of the Security Council, Fifty-second Year, Supplement for October, November and December 1997*, document S/1997/817.

[139] A/52/525.

and effectiveness, with the full participation of the Government of the Sudan in its management and operation, including the conduct of assessment, allocation, distribution and evaluation processes, as well as consultations in the preparation of the consolidated annual inter-agency appeal for the Operation;

3. *Stresses also* that Operation Lifeline Sudan should operate within the principle of national sovereignty and the framework of international cooperation in accordance with relevant national and international law;

4. *Calls upon* the international community to continue to contribute generously to the emergency needs, recovery and development of the country;

5. *Urges* the international community to give priority to assistance for the rehabilitation of roads, railways and airports and to the provision of means of road transport in order to facilitate relief supplies to the affected areas;

6. *Calls upon* the donor community and the organizations of the United Nations system to provide financial, technical and medical assistance, guided by the actions called for by the General Assembly in its relevant resolutions to combat malaria and other epidemics in the Sudan;

7. *Takes note of and is encouraged by* the signing in April 1997 of the Peace Agreement between the Government of the Sudan and many factions of the rebel movement for the achievement of peace in the Sudan, and is also encouraged by the joint announcement by the Government and the remaining faction of the rebel movement that they are engaged in peace talks, scheduled to resume in early 1998 under the auspices of the Intergovernmental Authority on Development of the countries of the Horn of Africa, and the acceptance by the parties of the Declaration of Principles as the basis for consultation and negotiation so as to establish durable peace and stability in the country and to facilitate relief supplies;

8. *Urges* the international community to support the programmes of rehabilitation, settlement and integration of returnees, refugees and internally displaced persons;

9. *Stresses* the importance of assuring safe access for personnel providing relief assistance to all in need and the importance of strict observance of the principles and guidelines of Operation Lifeline Sudan;

10. *Urges* all parties involved to continue to offer all feasible assistance, including facilitating the movement of relief supplies and personnel, so as to guarantee maximum success of Operation Lifeline Sudan in all affected parts of the country, with special emphasis on national capacity-building in the humanitarian field for governmental and non-governmental organizations;

11. *Also urges* all the parties to the conflict to desist from using anti-personnel mines, and calls upon the international community to refrain from supplying mines to the parties to the conflict and to provide the Government of the Sudan with financial and technical assistance in mine clearance;

12. *Requests* the Secretary-General to continue to mobilize and coordinate resources and support for Operation Lifeline Sudan and to report on the emergency situation in the affected areas and the recovery, rehabilitation and development of the country to the General Assembly at its fifty-third session.

73rd plenary meeting
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G

International assistance to and cooperation with the Alliance for the Sustainable Development of Central America

The General Assembly,

Reaffirming the resolutions in which it emphasizes and acknowledges the importance of international, bilateral and multilateral economic, financial and technical support, cooperation and assistance for peacekeeping and post-conflict peace-building in Central America, in particular its resolutions 50/58 B of 12 December 1995 and 50/132 of 20 December 1995, which provide a frame of reference for international assistance to and cooperation with the Alliance for the Sustainable Development of Central America,[140] in support of national efforts to make the region a zone of peace, freedom, democracy and development,

Considering the relevant resolutions on assistance for mine clearance and the need to eliminate all mines and other unexploded devices in Central America with a view to restoring normal conditions for comprehensive development throughout the region,

Reaffirming that advances in consolidating democracy, sustainable development, justice and social equity, taking into account the gender perspective and regional integration, are mutually reinforcing dynamic objectives which are indispensable to a firm and lasting peace in Central America,

Stressing the importance of the new programme for the sustainable development of Central America and the setting of national and regional priorities in the political, economic, social, cultural and environmental spheres and in the areas of public security and regional integration,

Stressing also the importance and effectiveness of the commitments undertaken by the Central American Presidents at various regional summit meetings, in particular those which constitute the global framework for promoting and consolidating peace, democracy and sustainable development in Central America,

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[140] See A/49/580-S/1994/1217, annex I; see *Official Records of the Security Council, Forty-ninth Year, Supplement for October, November and December 1994*, document S/1994/1217.

Reaffirming the need to continue focusing attention on the situation in Central America in support of regional efforts to overcome the underlying causes of the conflicts and to continue strengthening the process aimed at consolidating a firm and lasting peace in the region,

Recognizing the valuable and effective contribution made by the organs, organizations and programmes of the United Nations system and by the various governmental and non-governmental mechanisms, the donor community and the Regional Consultative Group for Central America of the Inter-American Development Bank and the importance of the political dialogue and cooperation taking place between the European Union and Central America and the joint initiative of the industrialized countries of the Group of Twenty-four and the Group of Three (Colombia, Mexico and Venezuela) in the progress made towards consolidating peace, democracy and sustainable development in Central America and in the implementation of the new regional development programme,

1. *Takes note with satisfaction* of the report of the Secretary-General on international assistance to and cooperation with the Alliance for the Sustainable Development of Central America;[141]

2. *Emphasizes* the importance of supporting and strengthening the new programme for international economic, financial and technical cooperation and assistance for Central America geared to the new circumstances in the region and based on the priorities laid down in the new sustainable development programme for the region;

3. *Notes with satisfaction* the efforts and achievements relating to mine clearance in Central America, and appeals to the organs of the United Nations system and to the international community, and in particular to the Secretary-General, to continue providing the material, technical and financial support needed by the Central American Governments to complete mine-clearance activities in the region, including those activities among the priorities of the new programme of international assistance to and cooperation with Central America;

4. *Stresses* the importance of international economic, financial and technical cooperation and assistance, both bilateral and multilateral, in supporting the efforts of the Central American Governments to implement the new programme for the sustainable development of the region;

5. *Welcomes* the establishment in 1996 of the new subregional cooperation programme in Central America of the United Nations Development Programme focusing on peace and democratic governance, strengthening of the rule of law, economic and social development and the environment and sustainable development, and recognizes the importance of the support provided by the Global Environment Facility for the implementation of the commitments undertaken by the Central American countries in international conventions on the environment;

6. *Notes with satisfaction* the signing by the Central American Governments of regional conventions on biodiversity, climate change and natural and man-made forests and on the prohibition of imports of toxic substances and waste, and calls upon the international community to continue supporting the Central American Governments in their efforts to continue complying with the commitments they have undertaken in those conventions;

7. *Again stresses* the need for the international community to maintain its cooperation with the Central American countries and to provide them with the necessary financial resources, in a sustained manner and on soft terms, with a view to promoting effectively the economic growth and development of the region;

8. *Supports* the decision of the Central American Governments to concentrate their efforts on the implementation of updated programmes with strategies for sustainable human development in previously determined priority areas, which help to consolidate peace and resolve social inequalities, extreme poverty and the social explosion;

9. *Requests* the Secretary-General, the organs, organizations and programmes of the United Nations system and all States, international financial institutions and regional and subregional organizations to continue providing the support needed to attain the objectives of the new programme for the sustainable development of Central America;

10. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution;

11. *Decides* to consider at its fifty-fourth session the question of international assistance to and cooperation with the Alliance for the Sustainable Development of Central America.

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16 December 1997

H

ECONOMIC ASSISTANCE TO STATES AFFECTED BY THE IMPLEMENTATION OF THE SECURITY COUNCIL RESOLUTIONS IMPOSING SANCTIONS ON THE FEDERAL REPUBLIC OF YUGOSLAVIA

The General Assembly,

Recalling its resolutions 48/210 of 21 December 1993, 49/21 A of 2 December 1994, 50/58 E of 12 December 1995 and 51/30 A of 5 December 1996 on economic assistance to States affected by the implementation of the Security Council resolutions imposing sanctions on the Federal Republic of Yugoslavia,

Taking note of the report of the Secretary-General on the implementation of resolution 51/30 A[142] and of the conclusions and recommendations contained therein,

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[141] A/52/297.

[142] A/52/535.

1. *Expresses concern* at the persistence of special economic problems confronting neighbouring and other States affected by the consequences of the severance of their economic relations with the Federal Republic of Yugoslavia during the period when the sanctions were in force and during the period following the lifting of the sanctions, in view of their magnitude and adverse impact on the economies of those States;

2. *Welcomes* the support already given by the international community to deal with the special economic problems of the affected States in view of the problems which the imposition of sanctions has posed;

3. *Renews its invitation* to all States and the relevant international organizations, both within and outside the United Nations system, in particular the international financial institutions, to continue to take into account the special needs of the affected States in providing assistance to them during the transition period following the lifting of the sanctions;

4. *Encourages* the affected States of the region to continue the process of multilateral regional cooperation in such fields as cross-border infrastructure projects and the promotion of trade and investment, thus alleviating the adverse impact of the sanctions;

5. *Urges* the relevant international organizations to take appropriate steps in order to broaden access for suppliers from the affected countries and to ensure their active participation in the process of post-conflict reconstruction and rehabilitation of the former Yugoslavia;

6. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution, in order to assess the situation and to present an analysis of the implementation of the present resolution, with a view to concluding consideration of the question.

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16 December 1997

I

EMERGENCY INTERNATIONAL ASSISTANCE FOR PEACE, NORMALCY AND REHABILITATION IN TAJIKISTAN

The General Assembly,

Recalling its resolution 51/30 J of 25 April 1997,

Recalling also Security Council resolutions 1113 (1997) of 12 June 1997, 1128 (1997) of 12 September 1997 and 1138 (1997) of 14 November 1997,

Having considered the report of the Secretary-General,[143]

Welcoming the successful conclusion of the inter-Tajik talks, conducted under United Nations auspices since 1994, with the signing in Moscow on 27 June 1997 by the President of the Republic of Tajikistan and the leader of the United Tajik Opposition of the General Agreement on the Establishment of Peace and National Accord in Tajikistan,[144] and welcoming also the progress made by the parties in the implementation of the General Agreement and the effective maintenance of the ceasefire between them since December 1996,

Commending the efforts of the United Nations, in particular those of the Special Representative of the Secretary-General for Tajikistan and of the personnel of the United Nations Mission of Observers in Tajikistan, in assisting the parties in the implementation of the General Agreement,

Noting that, despite the successful conclusion of the inter-Tajik talks and the efforts of the Government of Tajikistan to allocate limited resources to returning refugees and displaced persons, the economic situation in Tajikistan remains bleak and essential social services are largely dysfunctional, making a large percentage of the population extremely vulnerable,

Bearing in mind the close interrelationship between ensuring peace and achieving national reconciliation in Tajikistan and the ability of the country to meet the humanitarian needs of its people and to take effective steps towards the rapid revitalization of the economy, and reaffirming the urgent need to assist Tajikistan in its efforts to restore basic services and the infrastructure of the country,

Expressing concern that the security situation in parts of Tajikistan remains volatile,

Deeply concerned at the recent attack on the United Nations and other humanitarian personnel in Tajikistan,

Deeply concerned also about the danger posed by landmines in Tajikistan,

Welcoming the completion of the voluntary repatriation of Tajik refugees from northern Afghanistan, and stressing the importance of ensuring the voluntary return, in safety and dignity, of all refugees and internally displaced persons to their places of permanent residence,

Expressing its appreciation to the States, United Nations and other intergovernmental organizations and all relevant humanitarian organizations, agencies and non-governmental organizations, including the International Committee of the Red Cross, that have responded and continue to respond positively to the humanitarian needs of Tajikistan,

1. *Takes note* of the report of the Secretary-General,[143] and endorses the observations and recommendations set out therein;

2. *Welcomes* the efforts aimed at achieving peace and national reconciliation in Tajikistan, and encourages the parties to implement fully the General Agreement on the Establishment of Peace and National Accord in Tajikistan,[144] and also encourages the Commission on National

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[143] A/52/500.

[144] A/52/219-S/1997/510, annex I; see *Official Records of the Security Council, Fifty-second Year, Supplement for July, August and September 1997*, document S/1997/510.

Reconciliation to continue its efforts aimed at the institution of a broad dialogue among the various political forces in the country in the interests of restoration and strengthening of civil accord in Tajikistan;

3. *Welcomes with appreciation* the efforts undertaken by the Secretary-General in drawing the attention of the international community to the acute humanitarian problems of Tajikistan and in mobilizing assistance for the implementation of the General Agreement and the rehabilitation and reconstruction of the country;

4. *Notes* that the mandate of the United Nations Mission of Observers in Tajikistan adopted by the Security Council in its resolution 1138 (1997) authorizes the Mission to coordinate United Nations assistance to Tajikistan during the transition period, and welcomes the intention of the Secretary-General to appoint the United Nations Resident Coordinator as Deputy Special Representative of the Secretary-General;[145]

5. *Welcomes* the results of the donor conference convened by the Secretary-General at Vienna on 24 and 25 November 1997 to obtain international support dedicated to the implementation of the General Agreement, in particular in the areas of political reconciliation and democratization, the demobilization and reintegration of ex-combatants and the reform of power structures, and the repatriation and reintegration of refugees and internally displaced persons;

6. *Encourages* Member States and others concerned to continue assistance to alleviate the urgent humanitarian needs of Tajikistan and to offer support for the rehabilitation and reconstruction of its economy;

7. *Welcomes* the intention of the Secretary-General to prepare a full-scale consolidated inter-agency appeal for humanitarian assistance to Tajikistan for a period of 12 months beginning in January 1998;

8. *Strongly condemns* the recent act of kidnapping of the United Nations and other humanitarian personnel, and urges the parties to ensure the safety, security and freedom of movement of United Nations and other international humanitarian personnel as well as the safety and security of their premises;

9. *Encourages* the parties to cooperate in order to reduce the threat from the indiscriminate use of landmines to the civil population of Tajikistan and to the provision of humanitarian assistance;

10. *Requests* the Secretary-General to continue to monitor the humanitarian situation in Tajikistan and to report to the General Assembly at its fifty-third session on the progress made in the implementation of the present resolution;

11. *Decides* to consider at its fifty-third session the question of the situation in Tajikistan under the item entitled "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance".

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J

EMERGENCY ASSISTANCE TO MONTSERRAT

The General Assembly,

Recalling its resolutions 46/182 of 19 December 1991 and 48/188 of 21 December 1993,

Deeply distressed by the grave situation in Montserrat caused by the eruptions of the Montsoufriere volcano,

Welcoming the efforts of the Governments of Montserrat and the United Kingdom of Great Britain and Northern Ireland and the States members of the Caribbean Community to assist the people of Montserrat and to alleviate their suffering,

Noting the response by Governments, the bodies and agencies of the United Nations system, international and regional agencies, non-governmental organizations and private individuals to provide relief,

Welcoming decision 1997/29 of 19 September 1997 of the Executive Board of the United Nations Development Programme and of the United Nations Population Fund to endorse a package of emergency relief measures to be made available to Montserrat,[146]

Recognizing that the magnitude of the disaster and its long-term effects will require, as a complement to the efforts being made by the Governments of Montserrat and the United Kingdom, a further demonstration of international solidarity and humanitarian concerns to ensure broad multilateral cooperation in order to meet the emergency situation in Montserrat,

1. *Expresses its solidarity and support* to the Government and people of Montserrat;

2. *Expresses its appreciation* to those States, international agencies and non-governmental organizations that have provided emergency relief to Montserrat;

3. *Calls upon* all States to contribute generously to the relief, rehabilitation and reconstruction efforts;

4. *Calls upon* the United Nations Development Programme to finalize its proposals for a package of emergency assistance to Montserrat at the earliest possible time;

5. *Calls upon* the Secretary-General to monitor the situation in Montserrat with a view to assessing the ecological and development impacts of the continuing volcanic eruptions as well as to assisting in the long-term needs of

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[145] See *Official Records of the Security Council, Fifty-second Year, Supplement for July, August and September 1997*, document S/1997/686, para. 32.

[146] See DP/1998/1, paras. 193-196.

Montserratians, including the needs of evacuees and their rehabilitation;

6. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report on the situation referred to in paragraph 5 above and on the progress made with the relief and rehabilitation efforts.

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K

ASSISTANCE FOR THE RECONSTRUCTION AND DEVELOPMENT OF DJIBOUTI

The General Assembly,

Recalling its resolution 51/30 E of 5 December 1996 and its previous resolutions on economic assistance to Djibouti,

Recalling also the Paris Declaration and the Programme of Action for the Least Developed Countries for the 1990s,[133] adopted by the Second United Nations Conference on the Least Developed Countries on 14 September 1990, as well as the mutual commitments undertaken on that occasion and the importance attached to the follow-up to that Conference,

Noting that the economic and social development efforts of Djibouti are constrained by the extremes of the local climate, in particular cyclical droughts and torrential rains and floods such as those that occurred in 1989, 1994 and, more recently, in October and November 1997, and that the implementation of reconstruction and development programmes, as well as of the demobilization programme, requires the deployment of substantial resources which exceed the real capacity of the country,

Conscious that Djibouti is included in the list of least developed countries and that it is ranked 162nd out of the 175 countries studied in the *Human Development Report 1997*,[147]

Noting that the situation in Djibouti has been made worse by the deteriorating situation in the Horn of Africa and in particular in Somalia, and noting also the presence of tens of thousands of refugees and persons displaced from their countries, which has placed serious strains on the fragile economic, social and administrative infrastructure of Djibouti and caused security problems in the country, in particular in the city of Djibouti,

Noting with concern that a number of priority projects have been suspended because of the decline in financial resources and because of the devastating effects of the incessant conflicts in the region,

Emphasizing that there is an urgent need to provide financial support in the areas of demobilization, reconstruction and rehabilitation of the regions affected by civil strife, with a view to strengthening peace and stability in the country,

Noting with satisfaction that the Government of Djibouti has begun to implement a structural adjustment programme, and convinced of the necessity to support that financial recovery programme and to take effective measures to alleviate the consequences, in particular the social consequences, of the adjustment policy being implemented, so that the country may achieve lasting economic results,

Noting with gratitude the support provided to relief and rehabilitation operations by various countries and by intergovernmental and non-governmental organizations,

Taking note of the report of the Secretary-General,[148]

1. *Declares its solidarity* with the Government and people of Djibouti, who continue to face critical challenges owing, in particular, to the scarcity of natural resources and the continuing critical situation in the Horn of Africa, especially in Somalia;

2. *Welcomes* the implementation by the Government of Djibouti of the structural adjustment programme and, in that context, appeals to all Governments, international financial institutions, the specialized agencies of the United Nations system and non-governmental organizations to respond in an appropriate manner, as a matter of urgency, to the financial and material needs of the country;

3. *Expresses its gratitude* to the States and intergovernmental and international organizations which pledged to provide financial and material assistance at the round table on Djibouti which was held at Geneva on 29 and 30 May 1997;

4. *Considers* that implementation of the demobilization programme and of the national rehabilitation plan and reinforcement of democratic institutions require appropriate assistance in the form of financial and material support;

5. *Expresses its appreciation* to the Secretary-General for his efforts to make the international community aware of the difficulties faced by Djibouti;

6. *Requests* the Secretary-General to continue, in close cooperation with the Government of Djibouti, his efforts to mobilize the resources necessary for an effective programme of financial, technical and material assistance to Djibouti;

7. *Also requests* the Secretary-General to prepare a study of the progress made with regard to economic assistance to Djibouti, in time for the question to be considered by the General Assembly at its fifty-third session.

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[147] Published for the United Nations Development Programme by Oxford University Press, New York, 1997.

[148] A/52/434.

L

ASSISTANCE FOR HUMANITARIAN RELIEF AND THE ECONOMIC AND SOCIAL REHABILITATION OF SOMALIA

The General Assembly,

Recalling its resolutions 43/206 of 20 December 1988, 44/178 of 19 December 1989, 45/229 of 21 December 1990, 46/176 of 19 December 1991, 47/160 of 18 December 1992, 48/201 of 21 December 1993, 49/21 L of 20 December 1994, 50/58 G of 20 December 1995 and 51/30 G of 13 December 1996 and the resolutions and decisions of the Economic and Social Council on emergency assistance to Somalia,

Recalling also Security Council resolution 733 (1992) of 23 January 1992 and all subsequent relevant resolutions, in which the Council, *inter alia*, urged all parties, movements and factions in Somalia to facilitate the efforts of the United Nations, its specialized agencies and humanitarian organizations to provide urgent humanitarian assistance to the affected population in Somalia and reiterated the call for the full respect of the security and safety of the personnel of those organizations and the guarantee of their complete freedom of movement in and around Mogadishu and other parts of Somalia,

Noting the cooperation between the United Nations, the Organization of African Unity, the League of Arab States, the European Union, the Organization of the Islamic Conference, the countries of the Intergovernmental Authority on Development, the Movement of Non-Aligned Countries and others in their efforts to resolve the humanitarian, security and political crisis in Somalia,

Noting with appreciation the continued efforts made by the Secretary-General to assist the Somali people in their efforts to promote peace, stability and national reconciliation,

Noting with concern that the absence of central authority and effective civil institutions that characterizes Somalia continues to impede sustained comprehensive development and that, while the environment has become conducive to some reconstruction and development-oriented work in certain parts of the country, the humanitarian and security situation has remained fragile in other parts,

Deeply concerned that intermittent drought and heavy rains which caused river flooding and consequent severe devastation, coupled with the dire economic situation and persistent civil conflict, have seriously impaired the traditional coping mechanisms of the people in some parts of Somalia and have aggravated the increasingly fragile food security situation in the country, worsening the overall humanitarian situation,

Welcoming the joint strategy for efficient and targeted assistance and the framework for collaboration developed and adopted by the United Nations and non-governmental organizations, and reaffirming the importance it attaches to the need for effective coordination and cooperation among the United Nations agencies and their partners,

Taking note of the report of the Secretary-General on assistance for humanitarian relief and the economic and social rehabilitation of Somalia,[149]

Deeply appreciative of the humanitarian assistance and rehabilitation support rendered by a number of States to alleviate the hardship and suffering of the affected Somali population,

Recognizing that, while the humanitarian situation remains fragile in some parts, there is a need to continue the ongoing rehabilitation and reconstruction process alongside the national reconciliation process, without prejudice to the provision of emergency relief assistance wherever and whenever required, as security allows,

Noting with appreciation the efforts of the United Nations system aimed at working directly with Somali communities, whenever possible, in the absence of a recognized national government, and welcoming the continuing focus of the United Nations, in partnership with Somali elders, other local leaders and skilled local counterparts at the grass-roots level, as well as non-governmental organizations, on a programme of assistance combining humanitarian and developmental approaches, given the varying conditions in different areas,

Re-emphasizing the importance of the further implementation of its resolution 47/160 to rehabilitate basic social and economic services at local and regional levels throughout the country,

1. *Expresses its gratitude* to all States and the intergovernmental and non-governmental organizations that have responded to the appeals of the Secretary-General and others by extending assistance to Somalia;

2. *Expresses its appreciation* to the Secretary-General for his continuing and tireless efforts to mobilize assistance to the Somali people;

3. *Welcomes* the ongoing efforts of the United Nations, the Organization of African Unity, the League of Arab States, the European Union, the Organization of the Islamic Conference, the countries of the Intergovernmental Authority on Development, the Movement of Non-Aligned Countries and others to resolve the situation in Somalia;

4. *Also welcomes* the strategy of the United Nations focusing on the implementation of community-based interventions aimed at rebuilding local infrastructures and increasing the self-reliance of the local population, and the ongoing efforts by the United Nations agencies, their Somali counterparts and their partner organizations to establish and maintain close coordination and cooperation mechanisms available for the implementation of relief, rehabilitation and reconstruction programmes;

5. *Emphasizes* the principle that the Somali people, in particular at the local level, have the primary responsibility for their own development and for the sustainability of

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[149] A/52/532.

rehabilitation and reconstruction assistance programmes, and reaffirms the importance it attaches to the creation of workable arrangements for collaboration between the United Nations system and its partner organizations and their Somali counterparts for the effective execution of rehabilitation and development activities in those parts of the country where peace and security prevail;

6. *Urges* all States and intergovernmental and non-governmental organizations concerned to continue the further implementation of its resolution 47/160 so as to assist the Somali people to embark on the rehabilitation of basic social and economic services, as well as institution-building aimed at the restoration of civil administration at the local level in all those parts of the country where peace and security prevail;

7. *Appeals* to all States and relevant intergovernmental and non-governmental organizations to provide emergency disaster relief assistance, including food, medical and shelter supplies, as well as logistical support facilities to reach the segment of the population affected by the recent severe floods, to rescue those stranded by water and to curb the impact of potential health and economic consequences;

8. *Also appeals* to all the Somali parties concerned to seek peaceful means for resolving differences and to redouble their efforts to achieve national reconciliation that allows for transition from relief to reconstruction and development;

9. *Calls upon* all parties, movements and factions in Somalia to respect fully the security and safety of personnel of the United Nations and its specialized agencies and of non-governmental organizations, and to guarantee their complete freedom of movement throughout the country;

10. *Calls upon* the Secretary-General to continue to mobilize international humanitarian, rehabilitation and reconstruction assistance for Somalia;

11. *Calls upon* the international community to provide continuing and increased assistance in response to the United Nations Consolidated Inter-Agency Appeal for relief, rehabilitation and reconstruction assistance for Somalia covering the period from October 1997 to December 1998;

12. *Requests* the Secretary-General, in view of the critical situation in Somalia, to take all necessary measures for the implementation of the present resolution, and to report thereon to the General Assembly at its fifty-third session.

73rd plenary meeting
16 December 1997

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INTERNATIONAL COOPERATION AND COORDINATION FOR THE HUMAN AND ECOLOGICAL REHABILITATION AND ECONOMIC DEVELOPMENT OF THE SEMIPALATINSK REGION OF KAZAKHSTAN

The General Assembly,

Recognizing that the Semipalatinsk nuclear testing ground, inherited by Kazakhstan and closed in 1991, has become a matter of serious concern for the people and Government of Kazakhstan with regard to its consequences for the lives and health of the people, especially children, as well as for the environment of the region,

Conscious that the international community should pay due attention to the issue of the human, ecological and socio-economic dimensions of the situation in the Semipalatinsk region,

Recognizing the need to coordinate national and international efforts aimed at the rehabilitation of the health of the affected population and the environment in this region,

Bearing in mind the need for know-how in minimizing and mitigating radiological, health, socio-economic, psychological and environmental problems in the Semipalatinsk region,

Recalling the Almaty Declaration[150] of the heads of the Central Asian States of 28 February 1997, proclaiming 1998 as the Year of Environmental Protection in the region of Central Asia,

1. *Stresses* the need for greater attention and extra efforts with regard to the Semipalatinsk region and its population;

2. *Requests* the Secretary-General, in cooperation with interested Governments and relevant organizations and agencies, to compile a report on the humanitarian situation in the Semipalatinsk region in order to assist the Government of Kazakhstan in the formulation of a recommended overall action plan to address the humanitarian, ecological and economic problems and needs of the region;

3. *Urges* the international community to provide assistance in the formulation and implementation of special programmes and projects of treatment and care for the affected population in the Semipalatinsk region;

4. *Invites* all States, relevant multilateral financial organizations and other entities of the international community, including non-governmental organizations, to share their knowledge and experience in order to contribute to the human and ecological rehabilitation and economic development of the Semipalatinsk region;

5. *Invites* all Member States, relevant organs and organizations of the United Nations system, including the funds and programmes, to participate in the rehabilitation of the health of the affected population and the ecosystem of the Semipalatinsk region;

6. *Decides* to consider at its fifty-third session the humanitarian situation in the Semipalatinsk region under the item entitled "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance".

73rd plenary meeting
16 December 1997

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[150] A/52/112, annex.

52/170. Assistance to the Palestinian people

The General Assembly,

Recalling its resolution 51/150 of 13 December 1996,

Recalling also previous resolutions on the question,

Welcoming the signing of the Declaration of Principles on Interim Self-Government Arrangements of 1993 between the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people,[151] as well as the signing of the subsequent implementation agreements, including the Interim Agreement on the West Bank and the Gaza Strip of 1995,[152]

Gravely concerned about the difficult economic and employment conditions facing the Palestinian people throughout the occupied territory,

Conscious of the urgent need for improvement in the economic and social infrastructure of the occupied territory and the living conditions of the Palestinian people,

Aware that development is difficult under occupation and best promoted in circumstances of peace and stability,

Noting, in the light of recent developments in the peace process, the great economic and social challenges facing the Palestinian people and their leadership,

Conscious of the urgent necessity for international assistance to the Palestinian people, taking into account the Palestinian priorities,

Noting the convening of the United Nations Seminar on Assistance to the Palestinian People, "Palestinian Human Development Needs",[153] held at Amman from 20 to 22 May 1997,

Stressing the need for the full engagement of the United Nations in the process of building Palestinian institutions and in providing broad assistance to the Palestinian people, including assistance in the fields of elections, police training and public administration,

Noting the appointment by the Secretary-General in June 1994 of the United Nations Special Coordinator in the Occupied Territories,

Welcoming the results of the Conference to Support Middle East Peace, convened in Washington, D.C., on 1 October 1993, and the establishment of the Ad Hoc Liaison Committee and the work being done by the World Bank as its secretariat, as well as the establishment of the consultative group,

Welcoming also the establishment by the Ad Hoc Liaison Committee of the Joint Liaison Committee, which provides a forum in which economic policy and practical matters related to donor assistance are discussed with the Palestinian Authority,

Welcoming further the meeting of the consultative group in Paris on 19 and 20 November 1996, at which the proposed programme of United Nations assistance for 1997 was presented to the donor community,

Having considered the report of the Secretary-General,[154]

1. *Takes note* of the report of the Secretary-General;[154]

2. *Expresses its appreciation* to the Secretary-General for his rapid response and efforts regarding assistance to the Palestinian people;

3. *Also expresses its appreciation* to the Member States, United Nations bodies and intergovernmental and non-governmental organizations that have provided and continue to provide assistance to the Palestinian people;

4. *Stresses* the importance of the work done by the United Nations Special Coordinator in the Occupied Territories and of the steps taken under the auspices of the Secretary-General to ensure the achievement of a coordinated mechanism for United Nations activities throughout the occupied territories;

5. *Urges* Member States, international financial institutions of the United Nations system, intergovernmental and non-governmental organizations and regional and interregional organizations to extend, as rapidly and as generously as possible, economic and social assistance to the Palestinian people in order to assist in the development of the West Bank and Gaza, and to do so in close cooperation with the Palestine Liberation Organization and through official Palestinian institutions;

6. *Calls upon* relevant organizations and agencies of the United Nations system to intensify their assistance in response to the urgent needs of the Palestinian people in accordance with the Palestinian priorities set forth by the Palestinian Authority, with emphasis on national execution and capacity-building;

7. *Urges* Member States to open their markets to exports from the West Bank and Gaza and on the most favourable terms, consistent with appropriate trading rules;

8. *Calls upon* the international donor community to expedite the delivery of pledged assistance to the Palestinian people to meet their urgent needs;

9. *Suggests* the convening in 1998 of a United Nations-sponsored seminar on the Palestinian economy;

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[151] A/48/486-S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

[152] A/51/889-S/1997/357, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

[153] A/52/179-E/1997/76.

[154] A/52/159-E/1997/69.

10. *Requests* the Secretary-General to submit a report to the General Assembly at its fifty-third session, through the Economic and Social Council, on the implementation of the present resolution, containing:

(*a*) An assessment of the assistance actually received by the Palestinian people;

(*b*) An assessment of the needs still unmet and specific proposals for responding effectively to them;

11. *Decides* to include in the provisional agenda of its fifty-third session, under the item entitled "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance", the sub-item entitled "Assistance to the Palestinian people".

73rd plenary meeting
16 December 1997

52/171. Participation of volunteers, "White Helmets", in activities of the United Nations in the field of humanitarian relief, rehabilitation and technical cooperation for development

The General Assembly,

Reaffirming its resolutions 49/139 B of 20 December 1994 and 50/19 of 28 November 1995,

Reaffirming also its resolutions 46/182 of 19 December 1991, 47/168 of 22 December 1992, 48/57 of 14 December 1993, 49/139 A and B of 20 December 1994, 50/57 of 12 December 1995 and 51/194 of 17 December 1996 and Economic and Social Council resolutions 1995/56 of 28 July 1995 and 1996/33 of 25 July 1996,

Recognizing that the success of the international community in addressing the growing magnitude and complexity of natural disasters and other humanitarian emergencies depends not only on the formulation of a well-coordinated global response but also in the promotion of a smooth transition from relief to rehabilitation, reconstruction and development,

Bearing in mind that prevention, preparedness and contingency planning for emergencies at a global level depend, for the most part, on the strengthened local and national response capacities as well as on the availability of financial resources, both domestic and international,

1. *Takes note* of the report of the Secretary-General,[155] prepared in pursuance of its resolution 50/19, on the participation of volunteers, "White Helmets", in activities of the United Nations in the field of humanitarian relief, rehabilitation and technical cooperation for development;

2. *Encourages* voluntary national and regional actions aimed at making available to the United Nations system, through the United Nations Volunteers, national volunteer corps such as the White Helmets on a standby basis, in accordance with accepted United Nations procedures and practices, in order to provide specialized human and technical resources for emergency relief and rehabilitation;

3. *Expresses its appreciation* for the commendable progress of the White Helmets initiative as another voluntary international effort to provide the United Nations system with volunteer expertise to respond, in a quick and coordinated manner, to humanitarian relief, rehabilitation, reconstruction and development, while preserving the non-political, neutral and impartial character of humanitarian action;

4. *Recognizes* that the White Helmets, as an operational partner of the United Nations Volunteers, are an efficient and viable mechanism for making pre-identified and trained homogenous teams available to the United Nations system, in support of immediate relief, rehabilitation, reconstruction and development activities, in the light of the increasing number and growing magnitude and complexity of natural disasters and other emergencies;

5. *Calls upon* States to promote the facilitation of cooperative actions between the United Nations system and the civil society, through national volunteer corps, in order to strengthen the United Nations capacities for early and effective response to humanitarian emergencies;

6. *Encourages* States to identify and support their respective national focal points for the White Helmets in order to continue to provide the United Nations system with an accessible global network of rapid response facilities in case of humanitarian emergencies;

7. *Invites* States and the United Nations system to consider ways and means to ensure the integration of the White Helmets initiative into their programme activities, particularly those related to humanitarian and disaster relief assistance;

8. *Invites* the Secretary-General to consider the potential use of White Helmets as a resource for preventing and mitigating the effects of emergencies and post-conflict humanitarian emergencies and, in this context, to maintain an adequate structure for the White Helmets liaison functions, taking into account the ongoing reforms process;

9. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session, under the item entitled "Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance", on the actions taken in line with the present resolution.

73rd plenary meeting
16 December 1997

52/172. Strengthening of international cooperation and coordination of efforts to study, mitigate and minimize the consequences of the Chernobyl disaster

The General Assembly,

Reaffirming its resolutions 45/190 of 21 December 1990, 46/150 of 18 December 1991, 47/165 of 18 December 1992,

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[155] A/52/586.

48/206 of 21 December 1993 and 50/134 of 20 December 1995, and taking note of the decisions adopted by the organs, organizations and programmes of the United Nations system in the implementation of those resolutions,

Recalling Economic and Social Council resolutions 1990/50 of 13 July 1990, 1991/51 of 26 July 1991 and 1992/38 of 30 July 1992 and Council decision 1993/232 of 22 July 1993,

Noting with appreciation the contribution made by States and by organizations of the United Nations system to the development of cooperation to mitigate and minimize the consequences of the Chernobyl disaster, and the activities of regional and other organizations, in particular the Commission of the European Communities, as well as bilateral activities and those of non-governmental organizations,

Welcoming the commitments made by Member States in the Programme for the Further Implementation of Agenda 21,[156] to intensify cooperation, *inter alia*, in the prevention and reduction of major technological and other disasters with an adverse impact on the environment and in disaster relief and post-disaster rehabilitation in order to enhance the capabilities of affected countries to cope with such situations, and welcoming also commitments made in response to the appeal of the Secretary-General on the occasion of the tenth anniversary of the Chernobyl nuclear power plant accident,

Conscious of the long-term nature of the consequences of the disaster at the Chernobyl nuclear power plant, which was a major technological catastrophe in terms of its scope and created humanitarian, environmental, social, economic and health consequences and problems of common concern, requiring for their solution wide and active international cooperation and coordination of efforts in this field at the international and national levels,

Expressing profound concern about the ongoing effects on the lives and health of people, in particular children, in the affected areas of Belarus, the Russian Federation and Ukraine, as well as in other countries affected by the Chernobyl disaster,

Taking into consideration the findings and outcome of the United Nations needs-assessment mission to the affected areas of Belarus, the Russian Federation and Ukraine in May 1997, as well as the conclusions and recommendations of the United Nations-sponsored international seminar on the theme "Chernobyl and beyond: humanitarian assistance to victims of technological disasters", held in Moscow in May 1997,

Noting the readiness of Ukraine in principle to close the Chernobyl nuclear power plant by 2000, bearing in mind the need for adequate support from relevant countries and international organizations for that purpose,

Taking note of the report of the Secretary-General concerning the implementation of resolution 50/134,[157]

1. *Requests* the Secretary-General to continue his efforts in the implementation of the relevant General Assembly resolutions and, through existing coordination mechanisms, in particular the United Nations Coordinator of International Cooperation on Chernobyl, to continue to maintain close cooperation with the agencies of the United Nations system, as well as with regional and other relevant organizations, with a view to encouraging the regular exchange of information, cooperation and coordination of multilateral and bilateral efforts in those areas, while implementing programmes and specific projects, *inter alia*, in the framework of relevant agreements and arrangements;

2. *Invites* States, in particular donor States, relevant multilateral financial institutions and other concerned parties of the international community, including non-governmental organizations, to continue to provide support to the ongoing efforts made by Belarus, the Russian Federation and Ukraine to mitigate the consequences of the Chernobyl disaster;

3. *Welcomes* the decision of the heads of State and Government of the seven major industrial States and the European Union, adopted at Denver, United States of America, in June 1997, regarding assistance in securing the environmental safety of the sarcophagus covering the remains of the destroyed Chernobyl reactor and the allocation of 300 million United States dollars for a shelter implementation plan;

4. *Expresses its appreciation* for the contributions made to the shelter implementation plan at the International Chernobyl Shelter Pledging Conference for Governments, held in New York on 20 November 1997, and urges further contributions to the plan;

5. *Welcomes* the preparation by the United Nations, in cooperation with the Governments of Belarus, the Russian Federation and Ukraine, of the inter-agency programme of international assistance to areas affected by the Chernobyl disaster;

6. *Welcomes also* the convening by the United Nations of a special international meeting on Chernobyl, held on 25 November 1997, to generate further support for the populations of Belarus, the Russian Federation and Ukraine affected by the Chernobyl nuclear power plant disaster, and urges further contributions towards the implementation of the projects specified in the inter-agency programme;

7. *Takes note with satisfaction* of the establishment in Ukraine of the International Chernobyl Centre,[158] with the active participation of Belarus and the Russian Federation, as an important step towards enhancement of the capabilities of the international community to study, mitigate and minimize the consequences of such accidents, and invites all interested parties to take part in the activities of the Centre;

8. *Urges* the United Nations Coordinator of International Cooperation on Chernobyl to continue his efforts aimed at strengthening international cooperation to overcome the

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[156] Resolution S-19/2, annex.

[157] A/52/537.

[158] Formerly known as the International Scientific and Technological Centre for Nuclear and Radiological Accidents.

health, social, economic and ecological consequences of the Chernobyl disaster in the most affected areas of Belarus, the Russian Federation and Ukraine, based on the inter-agency programme;

9. *Calls upon* the Secretary-General to continue the regular exchange of information with the countries concerned, relevant organizations and bodies of the United Nations system, with a view to enhancing world public awareness of the consequences of such disasters;

10. *Requests* the Secretary-General to submit to the General Assembly at its fifty-fourth session, under a separate sub-item, a report on the implementation of the present resolution.

73rd plenary meeting
16 December 1997

52/173. Assistance in mine clearance

The General Assembly,

Recalling its resolutions 48/7 of 19 October 1993, 49/215 of 23 December 1994, 50/82 of 14 December 1995 and 51/149 of 13 December 1996 on assistance in mine clearance, all adopted without a vote,

Considering demining to be an important component of United Nations humanitarian and development activities,

Reaffirming its deep concern at the tremendous humanitarian problem caused by the presence of mines and other unexploded devices that have serious and lasting social and economic consequences for the populations of mine-infested countries and constitute an obstacle to the return of refugees and other displaced persons, to humanitarian aid operations and to reconstruction and economic development, as well as to the restoration of normal social conditions,

Reiterating its dismay at the high number of victims of mines, especially among civilian populations, particularly children, and recalling in this context Commission on Human Rights resolutions 1995/79 of 8 March 1995,[159] 1996/85 of 24 April 1996[160] and 1997/78 of 18 April 1997[161] on the rights of the child and resolution 1996/27 of 19 April 1996[160] and decision 1997/107 of 11 April 1997[161] on the human rights of persons with disability,

Deeply alarmed that the number of mines being laid each year, as well as the presence of a large number of mines and other unexploded devices as a result of armed conflicts, exponentially outweighs the number of such mines that can be cleared during that time, and thus convinced of the necessity and urgency of a significant increase in mine-clearance efforts by the international community,

Noting the decisions taken at the Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,[162] particularly with respect to Protocol II of the Convention and the inclusion in the Amended Protocol[163] of a number of provisions of importance for mine-clearance operations, notably the requirement of detectability,

Recalling that the States Parties to the Review Conference declared their commitment to keep the provisions of Protocol II under review in order to ensure that the concerns regarding the weapons it covers are addressed, and that they would encourage efforts of the United Nations and other organizations to address all the problems of landmines,

Recalling also the adoption at the Ottawa International Strategy Conference, "Towards a Global Ban on Anti-Personnel Mines", on 5 October 1996, of the Ottawa Declaration[164] whereby participants undertook a commitment towards the earliest possible conclusion of a legally binding international agreement to ban anti-personnel mines and which, among other things, recognizes that the international community must provide significantly greater resources to mine-awareness programmes, mine-clearance operations and victim assistance, as well as the Brussels Declaration of 27 June 1997,

Noting the adoption on 18 September 1997 at the Oslo Conference of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, which, among other things, recognizes that States parties in a position to do so should provide assistance for mine-clearance and related activities, for the care and rehabilitation, and social and economic reintegration, of mine victims and for mine-awareness programmes, and noting that the Convention was opened for signature at Ottawa on 3 December 1997 and that it has been signed by one hundred and twenty-two States,

Encouraged by the recent initiatives taken at conferences in Elsinore, Denmark, Bonn, Germany, and Tokyo, notably in relation to international standards and procedures for humanitarian mine-clearance operations, as well as the development of new technology for landmine detection and removal and the rehabilitation of landmine victims, which can serve as a basis on which to advance the safety, effectiveness and professionalism of these operations throughout the world,

Taking note of the Plan of Action on Landmines adopted at the First Continental Conference of African Experts on Landmines, held at Kempton Park, South Africa, and the adoption at Harare by the heads of State and Government of the Organization of African Unity of a resolution on the report of the Secretary-General of the Organization of African Unity on the issue of anti-personnel mines and international efforts to reach a total ban,

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[159] See *Official Records of the Economic and Social Council, 1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[160] Ibid., *1996, Supplement No. 3* (E/1996/23).

[161] Ibid., *1997, Supplement No. 3* (E/1997/23).

[162] CCW/CONF.I/16 (Part I).

[163] Ibid., annex B.

[164] A/C.1/51/10, annex I.

Emphasizing the importance of recording the location of mines, of retaining all such records and making them available to concerned parties upon cessation of hostilities, and welcoming the strengthening of the relevant provisions in international law,

Stressing the need to convince mine-affected States to halt new deployments of anti-personnel mines to ensure the effectiveness and efficiency of mine-clearance operations,

Recognizing the important role that the international community, particularly States involved in the deployment of mines, can play in assisting mine clearance in affected countries through the provision of necessary maps and information and appropriate technical and material assistance to remove or otherwise render ineffective existing minefields, mines and booby-traps,

Bearing in mind the serious threat that mines and other unexploded devices pose to the safety, health and lives of personnel participating in humanitarian, peacekeeping and rehabilitation programmes and operations,

Aware that the rate of mine clearance needs to accelerate substantially if the global landmine problem is to be tackled effectively,

Concerned about the limited availability of safe and cost-effective mine-detection and mine-clearance equipment as well as the lack of global coordination in research and development to improve the relevant technology, and conscious of the need to promote progress in this field and to foster international technical cooperation to this end,

Recognizing that, in addition to the primary role of States, the United Nations has an important role in the field of assistance in mine clearance,

Noting with satisfaction the inclusion in the mandates of several peacekeeping operations of provisions relating to mine-clearance work carried out under the direction of the Department of Peacekeeping Operations of the Secretariat, in the context of such operations,

Commending the activities already undertaken by the United Nations system, donor and recipient Governments, the International Committee of the Red Cross and non-governmental organizations to coordinate their efforts and seek solutions to the problems related to the presence of mines and other unexploded devices, as well as their assistance to victims of landmines,

Also commending the role of the Secretary-General in increasing public awareness of the problem of landmines, and in the establishment of the central landmine database and inventories of mine-awareness materials and mine-clearance techniques,

1. *Takes note* of the report of the Secretary-General on the activities of the United Nations in assistance in mine clearance;[165]

2. *Welcomes*, in particular, the efforts made by the United Nations to foster the establishment of mine-clearance capacities in countries where mines constitute a serious threat to the safety, health and lives of the local population, and emphasizing the importance of developing national mine-clearance capacities, urges all Member States, particularly those that have a capacity to do so, to assist afflicted countries in the establishment and development of their national mine-clearance capacities;

3. *Invites* Member States to develop national programmes, in cooperation with the relevant bodies of the United Nations system where appropriate, to promote awareness of landmines, especially among children;

4. *Expresses its appreciation* to Governments and regional organizations for their financial contributions to the Voluntary Trust Fund for Assistance in Mine Clearance and other demining programmes, and appeals to them to continue this support through further contributions;

5. *Encourages* all relevant multilateral and national programmes and bodies to include, in coordination with the United Nations, activities related to mine clearance in their humanitarian, social and economic assistance activities;

6. *Stresses* the importance of international assistance for the care and rehabilitation, and social and economic reintegration of mine victims;

7. *Emphasizes again*, in this connection, the important role of the United Nations in the effective coordination of activities related to mine clearance, awareness and assistance, including those by regional organizations, in particular activities related to standards, technological development, information and training, and, in this regard, encourages the Secretary-General to develop further a comprehensive mine-clearance strategy, taking into consideration the impact of the landmine problem on the process of rehabilitation, reconstruction and development, with a view to ensuring the effectiveness of assistance in mine clearance by the United Nations;

8. *Urges* Member States, regional organizations, governmental and non-governmental organizations and foundations to continue to extend full assistance and cooperation to the Secretary-General and, in particular, to provide him with information and data as well as other appropriate resources that could be useful in strengthening the coordination role of the United Nations in the field of mine awareness, training, surveying, mine detection and clearance, scientific research on mine-detection and clearance technology and information on and distribution of medical equipment and supplies;

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[165] A/52/679.

9. *Takes note* of the convening of the Mine Action Forum at Ottawa from 2 to 4 December 1997, and of the development there of An Agenda for Mine Action, and welcomes the proposals related to enhancing and coordinating action by international organizations, governmental and non-governmental organizations and foundations on mine-awareness, mine clearance and assistance to victims of anti-personnel mines, among other issues;

10. *Calls upon* Member States, especially those that have a capacity to do so, to provide the necessary information and technical and material assistance, as appropriate, and to locate, remove, destroy or otherwise render ineffective minefields, mines, booby-traps and other devices in accordance with international law, as soon as possible;

11. *Urges* Member States and intergovernmental and non-governmental organizations and foundations that have the ability to do so, to provide, as appropriate, technological assistance to mine-infested countries and to promote scientific research and development on humanitarian mine-clearance techniques and technology so that mine-clearance activities may be carried out more effectively at lower costs and through safer means and to promote international collaboration in this regard;

12. *Encourages* Member States and intergovernmental and non-governmental organizations and foundations to continue to support ongoing activities to promote appropriate technology, as well as international operational and safety standards for humanitarian mine-clearance activities, including the early follow-up of the International Conference on Mine Clearance Technology;[166]

13. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report on the progress achieved on all relevant issues outlined both in his previous reports to the Assembly on assistance in mine clearance and in the present resolution, and on the operation of the Voluntary Trust Fund for Assistance in Mine Clearance and other demining programmes;

14. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Assistance in mine clearance".

76th plenary meeting
18 December 1997

52/174. The situation of democracy and human rights in Haiti

The General Assembly,

Having considered the item entitled "The situation of democracy and human rights in Haiti",

Recalling all its relevant resolutions, as well as those adopted on the question by the Security Council, the Economic and Social Council and the Commission on Human Rights,

Taking note of Security Council resolution 1141 (1997) of 28 November 1997, in which the Council decided to establish the United Nations Civilian Police Mission in Haiti,

Taking note also of the relevant resolutions adopted on the question by the Organization of American States,

Reaffirming that the goal of the international community remains the full observance of human rights and fundamental freedoms and the promotion of social and economic development in Haiti,

Paying tribute to the Haitian people in their ongoing quest for strong and lasting democracy, justice and economic prosperity,

Reaffirming its support for the people and the Government of Haiti and their efforts to advance democracy, respect for human rights and the reconstruction of Haiti,

Taking note of the postponement of the second round of partial elections, and expressing the hope that the Haitian people will shortly be able to once again express themselves through free and fair elections,

Strongly supporting the continuing leadership of the Secretary-General of the United Nations and the Secretary-General of the Organization of American States in the efforts of the international community in furthering political progress in Haiti,

Welcoming the continued efforts by States to provide humanitarian assistance and technical cooperation to the people of Haiti,

Supporting fully the contributions of the International Civilian Mission to Haiti, its Executive Director and staff and of the United Nations Transition Mission in Haiti in the establishment of a climate of freedom and tolerance propitious to the full observance of human rights and the full restoration of the constitutional democracy of Haiti,

Encouraging the cooperation between the International Civilian Mission to Haiti and the United Nations Civilian Police Mission in Haiti and others participating in institution-building, including police training activities,

Taking note of the report of the Secretary-General on the situation of democracy and human rights in Haiti,[167] and the request from the President of the Republic of Haiti to the Secretary-General contained in the annex thereto,

Stressing the importance of continuing improvement in the situation of human rights in Haiti, and welcoming the policy statements by Haitian authorities that the Government of Haiti remains committed to upholding human rights and improving accountability,

1. *Welcomes* the recommendation of the Secretary-General contained in his report[167] to renew the mandate of the joint participation of the United Nations with the Organization

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[166] See A/51/472, annex.

[167] A/52/687.

of American States in the International Civilian Mission to Haiti, with the tasks of:

(*a*) Providing technical assistance at the request of the Government of Haiti in the field of institution-building, such as the training of the police and support for efforts towards judicial reform and the establishment of an impartial judiciary;

(*b*) Supporting the development of a programme for the promotion and protection of human rights, in order to further the establishment of a climate of freedom and tolerance propitious to the consolidation of long-term constitutional democracy in Haiti and to contribute to the strengthening of democratic institutions;

(*c*) Verifying full observance by Haiti of human rights and fundamental freedoms;

2. *Decides* to authorize, on the basis of the above recommendation, the renewal of the mandate of the United Nations component of the International Civilian Mission to Haiti until 31 December 1998, according to the terms of reference and modalities under which the Mission is operating;

3. *Requests* the Secretary-General to submit to the General Assembly at least two reports on the implementation of the present resolution and, in the case of the last such report, on the ways in which the international community can continue to assist with the tasks set out in paragraph 1 above;

4. *Reaffirms once again* the commitment of the international community to continue its technical, economic and financial cooperation with Haiti in support of its economic and social development efforts and in order to strengthen Haitian institutions responsible for dispensing justice and guaranteeing democracy, respect for human rights, political stability and economic development;

5. *Requests* the Secretary-General to continue to coordinate the efforts of the United Nations system in providing humanitarian aid and contributing to the development of Haiti;

6. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "The situation of democracy and human rights in Haiti".

76th plenary meeting
18 December 1997

52/175. United Nations Verification Mission in Guatemala

The General Assembly,

Recalling it resolutions 51/198 B of 27 March 1997, in which it decided to authorize the renewal of the mandate of the United Nations Verification Mission in Guatemala for one year, that is, until 31 March 1998, and 51/198 C of 31 July 1997, in which it encouraged the two parties and all sectors of Guatemalan society to join efforts for the implementation of the second phase of the Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements,[168] until 31 December 1997,

Taking into account the note by the Secretary-General transmitting the seventh report on human rights of the United Nations Verification Mission in Guatemala,[169]

Taking into account also the report of the Secretary-General relating to progress achieved by Central American countries in the areas of peace, freedom, democracy and development,[170]

Having considered the report of the Secretary-General on the work of the Mission[171] and the recommendations therein, which are aimed at improving its capacity to respond adequately to the demands of the verification process during the biennium 1998-1999,

Encouraged by the efforts of the parties and sectors of Guatemalan society in support of the peace agreements,

Acknowledging the support given to the Mission by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca,

Acknowledging also the support and improved coordination on the part of the international community for the programmes and projects deriving from the peace agreements,

Recalling the request of the parties that the duration of the mandate of the Mission should be the same as that of the Implementation, Compliance and Verification Timetable for the Peace Agreements, namely four years, from 1997 to 2000,

1. *Takes note with satisfaction* of the report of the Secretary-General on the United Nations Verification Mission in Guatemala;[171]

2. *Welcomes* the seventh report on human rights of the Mission;[169]

3. *Welcomes also* the report of the Secretary-General relating to progress achieved by Central American countries in the areas of peace, freedom, democracy and development;[170]

4. *Calls upon* the parties to continue to implement the commitments they entered into in the Comprehensive Agreement on Human Rights[172] and those in the other peace agreements, in particular, those contained in the second phase of the Implementation, Compliance and Verification Timetable for the Peace Agreements;[168]

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[168] A/51/796-S/1997/114, annex I; see *Official Records of the Security Council, Fifty-second Year, Supplement for January, February and March 1997*, document S/1997/114.

[169] A/52/330.

[170] A/52/344.

[171] A/52/554.

[172] A/48/928-S/1994/448, annex I; see *Official Records of the Security Council, Forty-ninth Year, Supplement for April, May and June 1994*, document S/1994/448.

5. *Urges* the parties and all sectors of Guatemalan society to strengthen further the efforts towards consensus building, reconciliation and development, with particular attention to the most vulnerable sectors of society;

6. *Decides* to authorize the renewal of the mandate of the Mission from 1 April to 31 December 1998;

7. *Requests* the Secretary-General to submit an updated report to the General Assembly at its fifty-third session, with his recommendations on the structure and staffing for the Mission after 31 December 1998;

8. *Invites* the international community to continue its support for peace-related activities in Guatemala, *inter alia*, through voluntary contributions to the Trust Fund for the Guatemala peace process established by the Secretary-General;

9. *Requests* the Secretary-General to keep the General Assembly fully informed of the implementation of the present resolution.

76th plenary meeting
18 December 1997

52/176. The situation in Central America: procedures for the establishment of a firm and lasting peace and progress in fashioning a region of peace, freedom, democracy and development

The General Assembly,

Considering the relevant resolutions of the Security Council, particularly resolution 637 (1989) of 27 July 1989, and its own resolutions, particularly resolution 43/24 of 15 November 1988, in which it requests the Secretary-General to continue his good offices and to afford the fullest possible support to the Central American Governments in their efforts to achieve the objectives of peace, reconciliation, democracy, development and justice established in the agreement on "Procedures for the establishment of a firm and lasting peace in Central America" of 7 August 1987,[173]

Reaffirming its resolutions in which it recognizes and stresses the importance of international economic, financial and technical cooperation and assistance, both bilateral and multilateral, aimed at promoting economic and social development in the region with a view to furthering and supplementing the efforts of the Central American peoples and Governments to achieve peace and democratization, particularly resolution 50/58 B of 12 December 1995, concerning international assistance to and cooperation with the Alliance for the Sustainable Development of Central America,[174]

Emphasizing the importance of the establishment of the Central American Integration System as the institutional framework having as its main objective to promote a comprehensive integration process, the adoption of the Alliance for the Sustainable Development of Central America, which constitutes the new integrated programme for national and regional development containing the commitments and priorities of the countries of the area for the promotion of political, economic, social, cultural and environmental progress, the establishment of the subsystem and of the regional social policy, the new model of democratic Central American security and the implementation of other agreements adopted at the presidential summit meetings, which taken together constitute the global frame of reference for maintaining and consolidating the peace process and the basis for a mutually advantageous redefinition of relations between Central America and the international community,

Welcoming the Agreement on a Firm and Lasting Peace signed by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca on 29 December 1996,[175] whereby all the agreements signed within the context of the peace process and under the auspices of the United Nations came into force, thereby putting an end to the last and most long-standing armed confrontation in the region,

Recognizing the progress made in the fulfilment of the commitments contained in the Guatemala Peace Agreements, implementation of which is being verified by the United Nations Verification Mission in Guatemala, including those relating to the demobilization and reintegration of former combatants into civilian life, the treatment of returnees, the establishment of special commissions, the promotion and protection of human rights and progress with respect to constitutional reforms,

Recognizing with satisfaction the role played by the peacekeeping operations and observer and monitoring missions of the United Nations, which carried out successfully their mandate in Central America pursuant to the relevant resolutions of the Security Council and the General Assembly, respectively,

Welcoming the changes and progress made by the peoples of Central America, whose efforts have brought about, *inter alia*, constitutional reforms, the strengthening and demilitarization of civil society, the creation of new political forms, the holding of free and pluralistic elections, the creation of mechanisms for the protection and promotion of human rights, freedom of expression, the strengthening of democratic institutions and of the rule of law, the execution of judicial reform processes and the adoption of a fairer development model providing greater opportunities for the Central American peoples,

Emphasizing the importance of the end of a critical period in Central American history and the start of a new phase free from armed conflict, with freely elected Governments in each country and with profound political, economic, social and other changes which have created a climate conducive to the promotion of economic growth and further progress towards the consolidation and further development of democratic, just and equitable societies,

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[173] A/42/521-S/19085, annex; see *Official Records of the Security Council, Forty-second Year, Supplement for July, August and September 1987*, document S/19085.

[174] See A/49/580-S/1994/1217, annex I; see *Official Records of the Security Council, Forty-ninth Year, Supplement for October, November and December 1994*, document S/1994/1217.

[175] A/51/796-S/1997/114, annex II; see *Official Records of the Security Council, Fifty-second Year, Supplement for January, February and March 1997*, document S/1997/114.

Reaffirming that the re-establishment of firm and lasting peace and democracy in Central America is a dynamic and ongoing process that faces serious structural challenges and whose continuation and consolidation are closely related to progress in human development, including the alleviation of extreme poverty, the promotion of economic and social justice, judicial reform, the safeguarding of human rights and fundamental freedoms, respect for minorities and the satisfaction of the basic needs of the most vulnerable groups among the people of the region, issues which have been a primary source of tension and conflict and which deserve to be discussed with the same urgency and dedication as was the case in the settlement of the armed conflicts,

Emphasizing the joint participation of the presidents of the Central American countries in the general debate at its fifty-second session, during which, in accordance with the commitments undertaken, they reaffirmed their decision and political will to continue doing their utmost to expedite, gradually and progressively, the Central American Union referred to in the Declaration of Nicaragua of 2 September 1997, as a higher expression of the common association called for in the Tegucigalpa Protocol of 12 December 1991,[176]

1. *Takes note with appreciation* of the report of the Secretary-General;[177]

2. *Commends* the efforts of the peoples and Governments of the Central American countries to re-establish peace and democracy throughout the region and promote sustainable development by implementing the commitments adopted at the summit meetings, and supports the decision of the presidents that Central America should become a region of peace, freedom, democracy and development;

3. *Emphasizes* the importance of the global frame of reference and the establishment of national and regional development priorities as the basis for promoting the effective, consistent and sustainable progress of the Central American peoples, and for providing international cooperation in accordance with the new circumstances in and outside the region;

4. *Recognizes* the need to continue to follow closely the situation in Central America in order to support national and regional efforts to overcome the underlying causes that have led to armed conflicts, avoid setbacks and consolidate peace and democratization in the area, and promote the objectives of the Alliance for the Sustainable Development of Central America;[174]

5. *Welcomes* the signing of the Agreement on a Firm and Lasting Peace[175] and the entry into force of the other agreements concluded during the peace process between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca, as well as the progress achieved in implementing those agreements, and urges all sectors of Guatemalan society to combine efforts and work with courage and determination to consolidate peace in keeping with the spirit and letter of the Peace Agreements;

6. *Requests* the Secretary-General, the bodies and programmes of the United Nations system, and the international community to continue to support and verify in Guatemala the implementation of all the peace agreements signed under United Nations auspices, compliance with which is an essential condition for a firm and lasting peace in that country, and to provide their resolute support for the United Nations Verification Mission in Guatemala in the fulfilment of its mandate;

7. *Recognizes* the importance of the Central American Integration System as the necessary legal and institutional body for coordinating and harmonizing efforts to achieve economic, social, cultural, environmental and political integration of the Central American countries in accordance with the goals and priorities established by the Governments of the isthmus in order to consolidate peace and democratization, and calls upon the international community, the United Nations system and other international governmental and non-governmental organizations to provide generous and effective cooperation with a view to improving the competence and efficiency of the Central American Integration System in the fulfilment of its mandate;

8. *Encourages* the Central American Governments to continue to carry out their historic responsibilities by fully implementing the commitments they have assumed under regional or national agreements, especially the commitments to implement the social programme to overcome poverty and unemployment, establish a more just and equitable society, improve public safety, consolidate a modern and transparent public administration and to eliminate corruption, impunity, acts of terrorism and drug and arms trafficking, all of which are necessary and urgent measures for establishing a firm and lasting peace in the region;

9. *Reiterates its deep appreciation* to the Secretary-General, his special representatives, the groups of friends for the peace processes in El Salvador (Colombia, Mexico, Spain, United States of America and Venezuela) and Guatemala (Colombia, Mexico, Norway, Spain, United States of America and Venezuela), the support group for Nicaragua (Canada, Mexico, Netherlands, Spain and Sweden), the political dialogue and cooperation with the European Union, and also to other cooperating countries and the international community in general for its support and solidarity in the building of peace, democracy and development in Central America;

10. *Reaffirms* the importance of international cooperation, in particular cooperation with the bodies, funds and programmes of the United Nations system, and the donor community in the new stage of consolidating peace and

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[176] A/46/829-S/23310, annex III; see *Official Records of the Security Council, Forty-sixth Year, Supplement for October, November and December 1991*, document S/23310.

[177] A/52/344.

democracy in Central America, and urges them to continue to support Central American efforts to achieve those goals, bearing in mind the global framework of the new regional development strategy, which is in keeping with the collective aspirations and needs of the Central American peoples;

11. *Requests* the Secretary-General to continue to lend his full support to the initiatives and activities of the Central American Governments, particularly their efforts to consolidate peace and democracy through the implementation of a new, comprehensive sustainable development programme and the initiative to establish the Central American Union, and to report to the General Assembly at its fifty-third session on the implementation of the present resolution;

12. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "The situation in Central America: procedures for the establishment of a firm and lasting peace and progress in fashioning a region of peace, freedom, democracy and development".

76th plenary meeting
18 December 1997

52/178. Credentials of representatives to the fifty-second session of the General Assembly

The General Assembly,

Having considered the report of the Credentials Committee and the recommendation contained therein,[178]

Approves the report of the Credentials Committee.

76th plenary meeting
18 December 1997

52/209. Business and development

The General Assembly,

Recalling its resolutions 47/171 of 22 December 1992 entitled "Privatization in the context of economic restructuring, economic growth and sustainable development", 48/180 of 21 December 1993 entitled "Entrepreneurship and privatization for economic growth and sustainable development" and 50/106 of 20 December 1995 entitled "Business and development", as well as the Agenda for Development,[179]

Welcoming the fact that many countries continue to attach major importance to the privatization of enterprises, demonopolization and administrative deregulation in the context of their economic restructuring policies, as a means to increase efficiency, economic growth and sustainable development,

Recognizing the importance of the market and the private sector for the efficient functioning of economies in various stages of development,

Recognizing the sovereign right of each State to decide on the development of its private and public sectors, taking into account the comparative advantages of each sector, bearing in mind the economic, social and cultural diversity in the world,

1. *Takes note* of the report of the Secretary-General entitled "Entrepreneurship and privatization for economic growth and sustainable development";[180]

2. *Underlines* the positive role of the private sector in supporting economic growth and development as well as in the mobilization of resources;

3. *Emphasizes* the role of the private sector in each country, including international investors, to contribute positively to the implementation of national macroeconomic policies and macroeconomic stabilization programmes;

4. *Recognizes* that business and industry, including transnational corporations, play a crucial role in the social and economic development of a country, that a stable policy regime enables and encourages business and industry to operate responsibly and efficiently and to implement longer-term policies and that the activities of business and industry are the primary contributors to increasing prosperity, which is a major goal of the development process;

5. *Expresses the conviction* that a stable and transparent environment for commercial transactions in all countries is essential for the mobilization of investment, finance, technology, skills and other important resources across national borders, in order to promote growth and development, and recognizes in this context that effective efforts at all levels to combat corruption and bribery are essential elements of an improved international business environment;

6. *Recognizes* the important role of Governments in creating, through transparent and participatory processes, an enabling environment supportive of entrepreneurship and facilitative of privatization, in particular in establishing the judicial, executive and legislative frameworks necessary for a market-based exchange of goods and services and for good management;

7. *Emphasizes* the importance of a supportive international economic environment, including investment and trade, for the promotion of entrepreneurship and privatization;

8. *Recognizes* the need to increase private sector involvement in the provision of infrastructure services, *inter alia*, through joint ventures between public and private entities, particularly in countries with economies in transition, while protecting essential services and safeguarding the environment;

9. *Recognizes* that in many countries the informal sector accounts for a significant part of all economic activity and is a particularly important source of income for women and that

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[178] A/52/719, para. 11.

[179] Resolution 51/240, annex.

[180] A/52/428.

the progressive integration of the informal sector should be encouraged;

10. *Stresses* the importance of micro-credit to people living in poverty, allowing them to establish micro-enterprises, which in turn generate self-employment and contribute to achieving empowerment, particularly of women, and calls for the strengthening of institutions supportive of micro-financing, in particular, micro-credit;

11. *Values* the promotion of entrepreneurship, including through the informal sector and micro-enterprises, in the development of small and medium-sized enterprises and industries by various actors throughout civil society and of privatization, demonopolization and the simplification of administrative procedures;

12. *Recognizes* the important role of cooperatives in the development and promotion of small and medium-sized enterprises;

13. *Encourages* the United Nations Conference on Trade and Development to continue to provide a forum for intergovernmental discussions, with the participation of representatives from the private sector, concerning issues related to privatization, enterprise development and international flows of investment, and welcomes the efforts by the Secretary-General of the Conference to build a lasting partnership for development with non-governmental actors, including through the "Partners for Development" initiative to be held at Lyon, France, in 1998;

14. *Invites* the United Nations Industrial Development Organization and the other relevant United Nations bodies to further strengthen their activities, in particular for Africa and the least developed countries, in promoting the development of entrepreneurship, especially for small and medium-sized enterprises, and calls upon the international community to lend its support to the United Nations Industrial Development Organization in this regard;

15. *Stresses* that the outsourcing of work from transnational corporations to small and medium-sized enterprises supports the development of entrepreneurship and privatization in developing countries;

16. *Calls upon* the United Nations funds and programmes, in accordance with their mandates, to continue to strengthen support to the promotion of entrepreneurship and, in their work in implementing the present resolution, to give due consideration to the role of the private sector in development, taking into account the priorities set by each country, while ensuring a gender perspective, and, in this connection, states that there is a need to assist in particular the Governments of developing countries, as well as countries with economies in transition, in strengthening their capacity to encourage wider participation of the private sector;

17. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Business and development", and requests the Secretary-General, in cooperation with relevant United Nations bodies, to prepare a report which includes analytical work on the implementation of the present resolution for submission to the General Assembly at that session.

77th plenary meeting
18 December 1997

52/211. Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan and the situation in Afghanistan and its implications for international peace and security

A

EMERGENCY INTERNATIONAL ASSISTANCE FOR PEACE, NORMALCY AND RECONSTRUCTION OF WAR-STRICKEN AFGHANISTAN

The General Assembly,

Recalling its resolutions 47/119 of 18 December 1992, 48/208 of 21 December 1993, 49/140 of 20 December 1994, 50/88 A of 19 December 1995 and 51/195 A of 17 December 1996 concerning emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan,

Concerned about the continuation of the military confrontation in Afghanistan, threatening regional peace and stability, and the significant increase of internally displaced persons and interruptions in the process of repatriating refugees,

Deeply concerned about the massive loss of human life, the aggravated suffering of the most vulnerable groups, the destruction of property and the serious damage to the economic and social infrastructure of Afghanistan caused by eighteen years of war, and underlining the close interrelationship between ensuring peace and normalcy in Afghanistan and the ability of the country to take effective steps towards sustainable economic and social development, bearing in mind that the country continues to suffer from an extremely critical economic situation as a landlocked, least developed and war-stricken country,

Concerned for the well-being of the unarmed civilian population of Afghanistan, who face a long winter possibly deprived of basic foods, owing, *inter alia*, to the looting of United Nations premises and food supplies and to deliberate restrictions placed on the access of humanitarian organizations to some parts of the country and on other humanitarian operations,

Deeply concerned about the problem of millions of anti-personnel landmines and unexploded ordnance in Afghanistan, which continue to prevent many Afghan refugees and internally displaced persons from returning to their villages and working in their fields, and disturbed by reports of new mines being laid,

Deeply concerned also about the continuing discrimination against girls and women and other recurring abuses of human rights in Afghanistan and the inadequacy of measures taken to reverse the situation,

Commending the efforts of the United Nations Special Mission to Afghanistan headed by Mr. Norbert Holl to bring about the restoration of peace, normalcy and national reconciliation and the reconstruction and rehabilitation of war-stricken Afghanistan,

Affirming the urgent need to continue international action to assist Afghanistan in restoring basic services and the infrastructure of the country, and welcoming the efforts of United Nations agencies, programmes and associated bodies and other humanitarian organizations and agencies, including relevant non-governmental organizations, in this respect,

Expressing its appreciation for the assistance of the Office of the United Nations High Commissioner for Refugees in its continuing support for the repatriation of Afghan refugees from neighbouring countries, and reaffirming the principle of non-refoulement as contained in article 33 of the Convention relating to the Status of Refugees,[181]

Expressing its gratitude to all Governments that have rendered assistance to Afghan refugees, in particular the Governments of Pakistan and the Islamic Republic of Iran, and recognizing the need for continuing international assistance for the maintenance abroad and the voluntary repatriation and resettlement of refugees and internally displaced persons,

Expressing its appreciation to the States, intergovernmental organizations and associated bodies of the United Nations, as well as to other humanitarian organizations and agencies, including relevant non-governmental organizations, that have responded positively and continue to respond to the humanitarian needs of Afghanistan, as well as to the Secretary-General for his efforts to draw the attention of the international community to the acute problems of reconstruction in Afghanistan and for mobilizing and coordinating the delivery of appropriate humanitarian assistance,

1. *Takes note* of the report of the Secretary-General,[182] and endorses the observations contained therein;

2. *Requests* the Secretary-General to continue efforts to develop plans for national reconstruction and rehabilitation, beginning in areas of peace and security;

3. *Calls upon* the relevant organizations of the United Nations to coordinate closely their humanitarian assistance to Afghanistan, in particular to ensure a consistent approach to human rights;

4. *Calls upon* the leaders of all Afghan parties to place the highest priority on national reconciliation, acknowledging the war-weariness of the Afghan people and their desire for rehabilitation, reconstruction and economic and social development;

5. *Demands* that all Afghan parties fulfil their obligations and honour their commitments regarding the safety and full freedom of movement of United Nations personnel and other humanitarian personnel, as well as the security of their premises in Afghanistan, and cooperate fully with the United Nations and associated bodies as well as with other humanitarian organizations and agencies in their efforts to respond to the humanitarian needs of the people of Afghanistan;

6. *Urges* all parties to prevent the looting of United Nations premises and food supplies, not to hamper the delivery of humanitarian assistance and to facilitate the work of organizations in implementing humanitarian assistance, in particular the supply of food, medicines, shelter and health care, for which access to those in need is essential;

7. *Expresses grave concern* at the indiscriminate use of landmines in Afghanistan, which seriously impedes the delivery of humanitarian assistance;

8. *Urgently appeals* to all States, organizations and programmes of the United Nations system, specialized agencies and other intergovernmental and non-governmental organizations to continue to provide, on a priority basis and as far as conditions on the ground permit, all possible financial, technical and material assistance for the restoration of basic services and the reconstruction of Afghanistan and the voluntary, safe and secure return of refugees and internally displaced persons with dignity and honour, and appeals to the international financial and development institutions to assist in the planning of the reconstruction of Afghanistan;

9. *Calls upon* the international community to respond to the inter-agency consolidated appeal for emergency humanitarian and rehabilitation assistance for Afghanistan to be launched by the Secretary-General for the period from 1 January to 31 December 1998, bearing in mind the availability also of the Afghanistan Emergency Trust Fund;

10. *Denounces* the continuing discrimination against girls and women and other violations of human rights and international humanitarian law in Afghanistan, notes with deep concern their adverse effects on international relief and reconstruction programmes in Afghanistan, and calls upon all Afghan parties to respect fully the human rights and fundamental freedoms of all, in particular of women and girls, in accordance with all human rights instruments and standards, including the Convention on the Elimination of All Forms of Discrimination against Women;[183]

11. *Calls upon* the organizations of the United Nations system to cooperate fully in the implementation of policies and measures recommended by the Executive Committee on Humanitarian Affairs, as mentioned in paragraph 7 of the report of the Secretary-General;[182]

12. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report on the actions taken pursuant to the present resolution;

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[181] United Nations, *Treaty Series*, vol. 189, No. 2545.

[182] A/52/536.

[183] Resolution 34/180, annex.

13. *Decides* to include in the provisional agenda of its fifty-third session, under the cluster of items on coordination of humanitarian assistance, the item entitled "Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan".

78th plenary meeting
19 December 1997

B

THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY

The General Assembly,

Recalling its resolutions 49/140 of 20 December 1994, 50/88 B of 19 December 1995 and 51/195 B of 17 December 1996,

Recalling also Security Council resolution 1076 (1996) of 22 October 1996 and all statements of the President of the Security Council on the situation in Afghanistan,

Noting all recent declarations by participants of regional international meetings and by international organizations on the situation in Afghanistan,

Strongly committed to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Convinced that there is no military solution to the Afghan conflict,

Expressing deep concern at the lack of progress in reaching a negotiated settlement of the conflict,

Deeply concerned at the continuation of the military confrontation in Afghanistan, which has led to the loss of many lives and the sometimes forcible displacement of civilian populations and which seriously endangers the stability and peaceful development of the region,

Deeply concerned also over the flagrant violations of international humanitarian law, particularly the Geneva Conventions[184] and international human rights instruments and principles relating to the conduct of war by the Afghan parties,

Stressing the need to prevent further civilian casualties,

Welcoming recent exchanges of prisoners between the Afghan parties,

Deeply concerned about the continuing discrimination against girls and women and other recurring abuses of human rights in Afghanistan and the inadequacy of measures taken to reverse the situation, and emphasizing the importance of democracy, equality and of the realization of human rights in any future political process in Afghanistan,

Convinced that the United Nations, as a universally recognized intermediary, must continue to play a central and impartial role in international efforts towards a peaceful resolution of the Afghan conflict,

Expressing its appreciation for the efforts made in this regard by the United Nations Special Mission to Afghanistan headed by Mr. Norbert Holl, and by the Special Envoy of the Secretary-General for Afghanistan, Mr. Lakhdar Brahimi,

Expressing its appreciation also for the engagement, in support of and in coordination with the United Nations, of the Organization of the Islamic Conference in Afghanistan,

Stressing the importance of non-intervention and non-interference in the internal affairs of Afghanistan, and deeply concerned at all forms of continued support which have caused or may cause the prolongation of the conflict, *inter alia*, the supply of weapons, military equipment and ammunition to the Afghan parties,

Expressing its grave concern about actions undermining the security of State frontiers, including the growing illicit traffic in arms by criminal elements and groups from certain areas of Afghanistan and about the use of Afghan territory for the training and harbouring of terrorists, which create a threat to peace and stability in the entire region, including Afghanistan,

Deeply concerned at the continued growth in production and trafficking of illicit drugs from Afghanistan, which threatens regional stability and damages the health and well-being of the populations of neighbouring States and elsewhere,

Bearing in mind that Afghanistan, as a State party to the Convention for the Protection of the World Cultural and Natural Heritage[185] of 16 November 1972, has recognized its primary duty to ensure, *inter alia*, the protection of the cultural heritage situated on its territory,

Stressing that a cessation of armed hostilities between the warring parties in Afghanistan and political stability are indispensable if reconstruction measures are to have a lasting effect,

1. *Takes note* of the report of the Secretary-General,[186] and endorses the observations and recommendations set out therein;

2. *Stresses* that the main responsibility for finding a political solution to the conflict lies with the Afghan parties, and urges all of them to respond to the repeated United Nations calls for peace;

3. *Calls upon* all Afghan parties to cease immediately all armed hostilities, to renounce the use of force and to engage, without preconditions, in a political dialogue aimed at achieving a lasting political settlement of the conflict;

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[184] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[185] Ibid., vol. 1037, No. 15511.

[186] A/52/682-S/1997/894; see *Official Records of the Security Council, Fifty-second Year, Supplement for October, November and December 1997*, document S/1997/894.

4. *Calls upon* all States to respect the sovereignty, independence, territorial integrity and national unity of Afghanistan and strictly to refrain from any outside interference in the internal affairs of Afghanistan;

5. *Condemns* the fact that foreign military support to the Afghan parties continued unabated through 1997, and calls upon all States concerned immediately to end the supply of arms, ammunition, military equipment, training or any other military support to all parties to the conflict in Afghanistan, including the presence and involvement of foreign military personnel;

6. *Encourages* the Secretary-General to pursue the question of preliminary studies on the imposition of an effective arms embargo and how such an embargo could be implemented in a fair and verifiable manner;

7. *Supports* the call by the Secretary-General for the establishment of a solid international framework in order to address the external aspects of the Afghan question, and calls upon all interested States and international organizations to use any influence they have in a constructive manner, in support of and in close coordination with the United Nations, to promote peace in Afghanistan;

8. *Also supports* the Secretary-General in his continuing efforts, undertaken in cooperation with the Afghan parties and with interested States and international organizations, in particular the Organization of the Islamic Conference, to promote the political process aimed at achieving a lasting political settlement of the conflict, with the participation of all Afghan parties and all segments of Afghan society, and reaffirms its full support for the efforts of the United Nations Special Mission to Afghanistan and the Special Envoy of the Secretary-General for Afghanistan in this regard;

9. *Requests* the Secretary-General to authorize the United Nations Special Mission to Afghanistan, established under resolution 48/208, to continue its efforts to facilitate national reconciliation and reconstruction in Afghanistan, specifically to bring about an immediate and durable ceasefire among the Afghan parties and to institute a negotiating process leading to the formation of a fully representative, broad-based transitional government of national unity;

10. *Calls upon* all Afghan parties to cooperate fully with the Special Mission, and demands that all Afghan parties fulfil their obligations and honour their commitments regarding the safety and full freedom of movement of United Nations personnel, in particular the personnel of the Special Mission, as well as the security of their premises in Afghanistan;

11. *Welcomes* recent exchanges of prisoners between the Afghan parties, and urges them to take further confidence-building measures;

12. *Deplores* the civilian casualties inflicted by the indiscriminate use of landmines, and calls upon all Afghan parties to desist from such use;

13. *Requests* the Secretary-General to continue to investigate fully reports about mass killings of prisoners of war and civilians and incidents of rape in Afghanistan and to include his findings in his next report to be submitted pursuant to paragraph 19 below;

14. *Denounces* the continuing discrimination against girls and women and other violations of human rights in Afghanistan, and calls upon all Afghan parties to respect the human rights of every individual, regardless of gender, ethnicity or religion;

15. *Denounces also* violations of international humanitarian law in Afghanistan, and urgently calls upon all parties strictly to respect all its provisions;

16. *Calls upon* all Afghan parties to take appropriate steps to prohibit, prevent and, if necessary, put a stop to any form of theft, pillage or misappropriation of and any acts of vandalism directed against cultural property of the Afghan nation and humankind;

17. *Reiterates* that the continuation of the conflict in Afghanistan provides a fertile ground for terrorism and drug-trafficking which destabilize the region and beyond, and calls upon the leaders of the Afghan parties to halt such activities;

18. *Commends* the efforts of the Executive Director of the United Nations International Drug Control Programme, and takes note of communications received by the Programme with regard to the banning of the cultivation, use of and trade in opium in Afghanistan, and calls for full compliance with these commitments;

19. *Requests* the Secretary-General to report to the General Assembly every three months during its fifty-second session on the progress of the Special Mission and to report to the Assembly at its fifty-third session on the progress made in the implementation of the present resolution;

20. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "The situation in Afghanistan and its implications for international peace and security".

78th plenary meeting
19 December 1997

II. RESOLUTIONS ADOPTED ON THE REPORTS OF THE FIRST COMMITTEE

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52/30. Compliance with arms limitation and disarmament and non-proliferation agreements

The General Assembly,

Recalling its resolution 50/60 of 12 December 1995 and other relevant resolutions on the question,

Recognizing the abiding concern of all Member States for maintaining respect for rights and obligations arising from treaties and other sources of international law,

Convinced that observance of the Charter of the United Nations, relevant treaties and other sources of international law is essential for the strengthening of international security,

Mindful, in particular, of the fundamental importance of full implementation and strict observance of agreements and other agreed obligations on arms limitation and disarmament and non-proliferation by States parties if individual nations and the international community are to derive enhanced security from them,

Stressing that any violation of such agreements and other agreed obligations by States parties not only adversely affects the security of States parties but can also create security risks for other States relying on the constraints and commitments stipulated in those agreements and other agreed obligations,

Stressing also that any weakening of confidence in such agreements and other agreed obligations diminishes their contribution to global or regional stability and to further arms limitation and disarmament and non-proliferation efforts, and undermines the credibility and effectiveness of the international legal system,

Recognizing, in this context, that full compliance by States parties with all provisions of existing agreements and the resolving of compliance concerns effectively by means consistent with such agreements and international law can, *inter alia*, facilitate the conclusion of additional arms limitation and disarmament and non-proliferation agreements, and thereby contribute to better relations among States and the strengthening of world peace and security,

Believing that compliance with all provisions of arms limitation and disarmament and non-proliferation agreements by States parties is a matter of interest and concern to all members of the international community, and noting the role that the United Nations has played and should continue to play in that regard,

Welcoming the contribution to international peace and regional security that full compliance by States parties with verification provisions of arms limitation and disarmament and non-proliferation agreements provides,

Also welcoming the universal recognition of the critical importance of the question of compliance with and verification of arms limitation and disarmament and non-proliferation agreements, and other agreed obligations,

1. *Urges* all States parties to arms limitation and disarmament and non-proliferation agreements to implement and comply with the entirety of all provisions of such agreements;

2. *Calls upon* all Member States to give serious consideration to the implications that non-compliance by States parties with any provisions of arms limitation and disarmament and non-proliferation agreements has for international security and stability, as well as for the prospects for progress in the field of disarmament;

3. *Also calls upon* all Member States to support efforts aimed at the resolution of compliance questions by means consistent with such agreements and international law, with a view to encouraging strict observance by all States parties of the provisions of arms limitation and disarmament and non-proliferation agreements and maintaining or restoring the integrity of such agreements;

4. *Welcomes* the role that the United Nations has played and continues to play in restoring the integrity of, and fostering negotiations on, certain arms limitation and disarmament and non-proliferation agreements and in the removal of threats to peace;

5. *Requests* the Secretary-General to continue to provide assistance that may be necessary in restoring and protecting the integrity of arms limitation and disarmament and non-proliferation agreements;

6. *Encourages* efforts by all States parties to develop additional cooperative measures, as appropriate, that can increase confidence in compliance with existing arms limitation and disarmament and non-proliferation agreements and reduce the possibility of misinterpretation and misunderstanding;

7. *Notes* the contribution that verification experiments and research can make and already have made in confirming and improving verification procedures for arms limitation and disarmament and non-proliferation agreements under study or negotiation, thereby providing an opportunity, from the time that such agreements enter into force, for enhancing confidence in the effectiveness of verification procedures as a basis for determining compliance;

8. *Decides* to include in the provisional agenda of its fifty-fourth session an item entitled "Compliance with arms limitation and disarmament and non-proliferation agreements".

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9 December 1997

52/31. Verification in all its aspects, including the role of the United Nations in the field of verification

The General Assembly,

Noting the critical importance of, and the vital contribution that has been made by, effective verification measures in arms limitation and disarmament agreements and other similar obligations, *Reaffirming* its support for the sixteen principles of verification drawn up by the Disarmament Commission,[1]

Recalling its resolutions 40/152 O of 16 December 1985, 41/86 Q of 4 December 1986, 42/42 F of 30 November 1987, 43/81 B of 7 December 1988, 45/65 of 4 December 1990, 47/45 of 9 December 1992, 48/68 of 16 December 1993 and 50/61 of 12 December 1995,

Recalling also the reports of the Secretary-General of 11 July 1986, 28 August 1990, 16 September 1992, 26 July 1993, 22 September 1995 and 6 August 1997, and the addenda thereto,[2]

1. *Reaffirms* the critical importance of, and the vital contribution that has been made by, effective verification measures in arms limitation and disarmament agreements and other similar obligations;

2. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on further views received from Member States pursuant to resolution 50/61;

3. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Verification in all its aspects, including the role of the United Nations in the field of verification".

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9 December 1997

52/32. Objective information on military matters, including transparency of military expenditures

The General Assembly,

Recalling its resolution 51/38 of 10 December 1996 on objective information on military matters, including transparency of military expenditures,

Also recalling its resolution 35/142 B of 12 December 1980, which introduced the United Nations system for the standardized reporting of military expenditures, and its resolutions 48/62 of 16 December 1993 and 49/66 of 15 December 1994, calling upon all Member States to participate in it, and its resolution 47/54 B of 9 December 1992, endorsing the guidelines and recommendations for objective information on military matters and inviting Member States to provide relevant information to the Secretary-General regarding their implementation,

Noting that since then national reports on military expenditures and on the guidelines and recommendations for objective information on military matters have been submitted by a number of Member States belonging to different geographic regions,

Welcoming the report of the Secretary-General[3] on ways and means to implement the guidelines and recommendations for objective information on military matters, including, in particular, how to strengthen and broaden participation in the United Nations system for the standardized reporting of military expenditures,

Expressing its appreciation to the Secretary-General for providing Member States with the reports on military expenditures in standardized form reported by States and on guidelines and recommendations for objective information on military matters,

Welcoming the decision of many Member States to exchange and to publish information annually on their military budgets and to implement the guidelines and recommendations for objective information on military matters, as appropriate,

Reaffirming its firm conviction that a better flow of objective information on military matters can help to relieve international tension and contribute to the building of confidence among States and to the conclusion of concrete disarmament agreements,

Convinced that the improvement of international relations forms a sound basis for promoting further openness and transparency in all military matters,

Recalling that the guidelines and recommendations for objective information on military matters recommended certain areas for further consideration, such as the improvement of the United Nations system for the standardized reporting of military expenditures,

1. *Recommends* the guidelines and recommendations for objective information on military matters to all Member States for implementation, fully taking into account specific political, military and other conditions prevailing in a region, on the basis of initiatives and with the agreement of the States of the region concerned;

2. *Calls upon* all Member States to report annually, by 30 April, to the Secretary-General their military expenditures for the latest fiscal year for which data are available, using, for the time being, the reporting instrument as recommended in its resolution 35/142 B;

3. *Requests* the Secretary-General to circulate annually the reports on military expenditures as received from Member States;

4. *Endorses* the intention of the Secretary-General, as stated in his report,[3] to resume consultations with relevant international bodies, within existing resources, with a view to ascertaining the requirements for adjusting the present instrument to encourage wider participation;

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[1] See *Official Records of the General Assembly, Fifteenth Special Session, Supplement No. 3* (A/S-15/3), para. 60 (para. 6, sect. I, of the quoted text).

[2] A/41/422 and Add.1 and 2, A/45/372 and Corr.1, A/47/405 and Add.1, A/48/227 and Add.1 and 2, A/50/377 and Corr.1 and A/52/269.

[3] A/52/302.

5. *Requests* the Secretary-General to make recommendations, based on the outcome of the intended consultations and taking into account the views of Member States, on necessary changes to the content and structure of the United Nations system for the standardized reporting of military expenditures in order to strengthen and broaden participation, and to submit a report on the subject to the General Assembly at its fifty-third session;

6. *Calls upon* all Member States, in time for the deliberation by the General Assembly at its fifty-third session, to provide the Secretary-General with their views on ways and means to strengthen and broaden participation in the United Nations system for the standardized reporting of military expenditures, including necessary changes to its content and structure;

7. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Objective information on military matters, including transparency of military expenditures".

67th plenary meeting
9 December 1997

52/33. The role of science and technology in the context of international security and disarmament

The General Assembly,

Recognizing that scientific and technological developments can have both civilian and military applications and that progress in science and technology for civilian applications needs to be maintained and encouraged,

Concerned that military applications of scientific and technological developments can contribute significantly to the improvement and upgrading of weapons of mass destruction,

Aware of the need to follow closely the scientific and technological developments that may have a negative impact on international security and disarmament, and to channel scientific and technological developments for beneficial purposes,

Cognizant that the international transfers of dual-use as well as high-technology products, services and know-how for peaceful purposes are important for the economic and social development of States,

Cognizant also of the need to regulate such transfers of dual-use goods and technologies and high technology with military applications through multilaterally negotiated, universally acceptable, non-discriminatory guidelines,

Expressing concern over the growing proliferation of ad hoc and exclusive export control regimes and arrangements for dual-use goods and technologies,

Recalling that the Final Document of the Eleventh Conference of Heads of State or Government of Non-Aligned Countries, held at Cartagena de Indias, Colombia, from 18 to 20 October 1995,[4] noted that restrictions being placed on access to technology through the imposition of non-transparent ad hoc export control regimes with exclusive membership tended to impede the economic and social development of developing countries,

Emphasizing that internationally negotiated guidelines for the transfer of high technology with military applications should take into account the legitimate defence requirements of all States and requirements for the maintenance of international peace and security, while ensuring that access to high-technology products and services and know-how for peaceful purposes is not denied,

1. *Affirms* that scientific and technological progress should be used for the benefit of all mankind to promote the sustainable economic and social development of all States and to safeguard international security, and that international cooperation in the use of science and technology through the transfer and exchange of technological know-how for peaceful purposes should be promoted;

2. *Invites* Member States to undertake additional efforts to apply science and technology for disarmament-related purposes and to make disarmament-related technologies available to interested States;

3. *Urges* Member States to undertake multilateral negotiations with the participation of all interested States in order to establish universally acceptable, non-discriminatory guidelines for international transfers of dual-use goods and technologies and high technology with military applications;

4. *Recalls* its resolution 51/39 of 10 December 1996 and its request to the Secretary-General to submit an updated report no later than at its fifty-third session;

5. *Encourages* United Nations bodies to contribute, within existing mandates, to promoting the application of science and technology for peaceful purposes;

6. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "The role of science and technology in the context of international security and disarmament".

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9 December 1997

52/34. Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolutions 3263 (XXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of 12

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[4] A/50/752-S/1995/1035, annex III; see *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/1035.

December 1980, 36/87 A and B of 9 December 1981, 37/75 of 9 December 1982, 38/64 of 15 December 1983, 39/54 of 12 December 1984, 40/82 of 12 December 1985, 41/48 of 3 December 1986, 42/28 of 30 November 1987, 43/65 of 7 December 1988, 44/108 of 15 December 1989, 45/52 of 4 December 1990, 46/30 of 6 December 1991, 47/48 of 9 December 1992, 48/71 of 16 December 1993, 49/71 of 15 December 1994, 50/66 of 12 December 1995 and 51/41 of 10 December 1996 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also the recommendations for the establishment of such a zone in the Middle East consistent with paragraphs 60 to 63, and in particular paragraph 63 (*d*), of the Final Document of the Tenth Special Session of the General Assembly,[5]

Emphasizing the basic provisions of the above-mentioned resolutions, which call upon all parties directly concerned to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East and, pending and during the establishment of such a zone, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, to agree to place their nuclear facilities under International Atomic Energy Agency safeguards and to declare their support for the establishment of the zone and to deposit such declarations with the Security Council for consideration, as appropriate,

Reaffirming the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

Emphasizing the need for appropriate measures on the question of the prohibition of military attacks on nuclear facilities,

Bearing in mind the consensus reached by the General Assembly since its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance international peace and security,

Desirous of building on that consensus so that substantial progress can be made towards establishing a nuclear-weapon-free zone in the Middle East,

Welcoming all initiatives leading to general and complete disarmament, including in the region of the Middle East, and in particular on the establishment therein of a zone free of weapons of mass destruction, including nuclear weapons,

Noting the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

Recognizing the importance of credible regional security, including the establishment of a mutually verifiable nuclear-weapon-free zone,

Emphasizing the essential role of the United Nations in the establishment of a mutually verifiable nuclear-weapon-free zone,

Having examined the report of the Secretary-General on the implementation of General Assembly resolution 51/41,[6]

1. *Urges* all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly, and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;[7]

2. *Calls upon* all countries of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

3. *Takes note* of resolution GC(41)/RES/25, adopted on 3 October 1997 by the General Conference of the International Atomic Energy Agency at its forty-first regular session, concerning the application of Agency safeguards in the Middle East;

4. *Notes* the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral Working Group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including the establishment of a nuclear-weapon-free zone;

5. *Invites* all countries of the region, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their support for establishing such a zone, consistent with paragraph 63 (*d*) of the Final Document of the Tenth Special Session of the General Assembly,[5] and to deposit those declarations with the Security Council;

6. *Also invites* those countries, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices;

7. *Invites* the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and the spirit of the present resolution;

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[5] Resolution S-10/2.

[6] A/52/271.

[7] United Nations, *Treaty Series*, vol. 729, No. 10485.

8. *Takes note* of the report of the Secretary-General on the implementation of General Assembly resolution 51/41;[6]

9. *Invites* all parties to consider the appropriate means that may contribute towards the goal of general and complete disarmament and the establishment of a zone free of weapons of mass destruction in the region of the Middle East;

10. *Requests* the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of resolution 46/30 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to his report[8] or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the Middle East;

11. *Also requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report on the implementation of the present resolution;

12. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

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52/35. Establishment of a nuclear-weapon-free zone in South Asia

The General Assembly,

Recalling its resolutions 3265 B (XXIX) of 9 December 1974, 3476 B (XXX) of 11 December 1975, 31/73 of 10 December 1976, 32/83 of 12 December 1977, 33/65 of 14 December 1978, 34/78 of 11 December 1979, 35/148 of 12 December 1980, 36/88 of 9 December 1981, 37/76 of 9 December 1982, 38/65 of 15 December 1983, 39/55 of 12 December 1984, 40/83 of 12 December 1985, 41/49 of 3 December 1986, 42/29 of 30 November 1987, 43/66 of 7 December 1988, 44/109 of 15 December 1989, 45/53 of 4 December 1990, 46/31 of 6 December 1991, 47/49 of 9 December 1992, 48/72 of 16 December 1993, 49/72 of 15 December 1994, 50/67 of 12 December 1995 and 51/42 of 10 December 1996 concerning the establishment of a nuclear-weapon-free zone in South Asia,

Reiterating its conviction that the establishment of nuclear-weapon-free zones in various regions of the world is one of the measures that can contribute effectively to the objectives of non-proliferation of nuclear weapons and general and complete disarmament,

Believing that the establishment of a nuclear-weapon-free zone in South Asia, as in other regions, will assist in the strengthening of the security of the States of the region against the use or threat of use of nuclear weapons,

Taking note with appreciation of the declarations issued at the highest level by the Governments of South Asian States that are developing their peaceful nuclear programmes, reaffirming their undertaking not to acquire or manufacture nuclear weapons and to devote their nuclear programmes exclusively to the economic and social advancement of their peoples,

Welcoming the proposal for the conclusion of a bilateral or regional nuclear-test-ban agreement in South Asia,

Noting the proposal to convene, under the auspices of the United Nations, a conference on nuclear non-proliferation in South Asia as soon as possible, with the participation of the regional and other concerned States,

Noting also the proposal to hold consultations among five nations with a view to ensuring nuclear non-proliferation in the region,

Considering that the eventual participation of other States, as appropriate, in this process could be useful,

Bearing in mind the provisions of paragraphs 60 to 63 of the Final Document of the Tenth Special Session of the General Assembly[9] regarding the establishment of nuclear-weapon-free zones, including in the region of South Asia,

Taking note of the note by the Secretary-General,[10]

1. *Reaffirms* its endorsement, in principle, of the concept of a nuclear-weapon-free zone in South Asia;

2. *Urges once again* the States of South Asia to continue to make all possible efforts to establish a nuclear-weapon-free zone in South Asia and to refrain, in the meantime, from any action contrary to that objective;

3. *Welcomes* the support of all the five nuclear-weapon States for this proposal, and calls upon them to extend the necessary cooperation in the efforts to establish a nuclear-weapon-free zone in South Asia;

4. *Requests* the Secretary-General to communicate with the States of the region and other concerned States in order to ascertain their views on the issue and to promote consultations among them with a view to exploring the best possibilities of furthering the efforts for the establishment of a nuclear-weapon-free zone in South Asia;

5. *Also requests* the Secretary-General to report on the subject to the General Assembly at its fifty-third session;

6. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Establishment of a nuclear-weapon-free zone in South Asia".

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[8] A/45/435.

[9] Resolution S-10/2.

[10] A/52/306.

52/36. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

The General Assembly,

Bearing in mind the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

Convinced that nuclear weapons pose the greatest threat to mankind and to the survival of civilization,

Welcoming the progress achieved in recent years in both nuclear and conventional disarmament,

Noting that, despite recent progress in the field of nuclear disarmament, further efforts are necessary towards the achievement of general and complete disarmament under effective international control,

Convinced that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Determined strictly to abide by the relevant provisions of the Charter of the United Nations on the non-use of force or threat of force,

Recognizing that the independence, territorial integrity and sovereignty of non-nuclear-weapon States need to be safeguarded against the use or threat of use of force, including the use or threat of use of nuclear weapons,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures and arrangements to ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons from any quarter,

Recognizing that effective measures and arrangements to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons can contribute positively to the prevention of the spread of nuclear weapons,

Bearing in mind paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly,[11] the first special session devoted to disarmament, in which it urged the nuclear-weapon States to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and desirous of promoting the implementation of the relevant provisions of the Final Document,

Recalling the relevant parts of the special report of the Committee on Disarmament[12] submitted to the General Assembly at its twelfth special session,[13] the second special session devoted to disarmament, and of the special report of the Conference on Disarmament submitted to the Assembly at its fifteenth special session,[14] the third special session devoted to disarmament, as well as the report of the Conference on its 1992 session,[15]

Recalling also paragraph 12 of the Declaration of the 1980s as the Second Disarmament Decade, contained in the annex to its resolution 35/46 of 3 December 1980, which states, *inter alia*, that all efforts should be exerted by the Committee on Disarmament urgently to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

Noting the in-depth negotiations undertaken in the Conference on Disarmament and its Ad Hoc Committee on Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons,[16] with a view to reaching agreement on this item,

Taking note of the proposals submitted under that item in the Conference on Disarmament, including the drafts of an international convention,

Taking note also of the relevant decision of the Eleventh Conference of Heads of State or Government of Non-Aligned Countries, held at Cartagena de Indias, Colombia, from 18 to 20 October 1995,[17] and also of the decision adopted by the Tenth Conference of Heads of State or Government of Non-Aligned Countries, held at Jakarta from 1 to 6 September 1992,[18] as well as the relevant recommendations of the Organization of the Islamic Conference reiterated in the Final Communiqué of the Twentieth Islamic Conference of Foreign Ministers, held at Istanbul from 4 to 8 August 1991,[19] calling upon the Conference on Disarmament to reach an urgent agreement on an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons,

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[11] Resolution S-10/2.

[12] The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

[13] *Official Records of the General Assembly, Twelfth Special Session, Supplement No. 2* (A/S-12/2), sect. III.C.

[14] Ibid., *Fifteenth Special Session, Supplement No. 2* (A/S-15/2), sect. III.F.

[15] Ibid., *Forty-seventh Session, Supplement No. 27* (A/47/27), sect. III.F.

[16] Ibid., *Forty-eighth Session, Supplement No. 27* (A/48/27), para. 39.

[17] See A/50/752-S/1995/1035, annex III; see *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/1035.

[18] See A/47/675-S/24816, annex, chap. II, para. 47; see *Official Records of the Security Council, Forty-seventh Year, Supplement for October, November and December 1992*, document S/24816.

[19] See A/46/486-S/23055, annex I; see *Official Records of the Security Council, Forty-sixth Year, Supplement for July, August and September 1991*, document S/23055.

Taking note further of the unilateral declarations made by all nuclear-weapon States on their policies of non-use or non-threat of use of nuclear weapons against non-nuclear-weapon States,

Noting the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, as well as the difficulties pointed out in evolving a common approach acceptable to all,

Noting also the greater willingness to overcome the difficulties encountered in previous years,

Taking note of Security Council resolution 984 (1995) of 11 April 1995 and the views expressed on it,

Recalling its relevant resolutions adopted in previous years, in particular resolutions 45/54 of 4 December 1990, 46/32 of 6 December 1991, 47/50 of 9 December 1992, 48/73 of 16 December 1993, 49/73 of 15 December 1994, 50/68 of 12 December 1995 and 51/43 of 10 December 1996,

1. *Reaffirms* the urgent need to reach an early agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

2. *Notes with satisfaction* that in the Conference on Disarmament there is no objection, in principle, to the idea of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, although the difficulties as regards evolving a common approach acceptable to all have also been pointed out;

3. *Appeals* to all States, especially the nuclear-weapon States, to work actively towards an early agreement on a common approach and, in particular, on a common formula that could be included in an international instrument of a legally binding character;

4. *Recommends* that further intensive efforts should be devoted to the search for such a common approach or common formula and that the various alternative approaches, including, in particular, those considered in the Conference on Disarmament, should be further explored in order to overcome the difficulties;

5. *Recommends also* that the Conference on Disarmament should actively continue intensive negotiations with a view to reaching early agreement and concluding effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective;

6. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

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52/37. Prevention of an arms race in outer space

The General Assembly,

Recognizing the common interest of all mankind in the exploration and use of outer space for peaceful purposes,

Reaffirming the will of all States that the exploration and use of outer space, including the Moon and other celestial bodies, shall be for peaceful purposes and shall be carried out for the benefit and in the interest of all countries, irrespective of their degree of economic or scientific development,

Reaffirming also provisions of articles III and IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,[20]

Recalling the obligation of all States to observe the provisions of the Charter of the United Nations regarding the use or threat of use of force in their international relations, including in their space activities,

Reaffirming paragraph 80 of the Final Document of the Tenth Special Session of the General Assembly,[21] in which it is stated that in order to prevent an arms race in outer space further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty,

Recalling its previous resolutions on this issue and taking note of the proposals submitted to the General Assembly at its tenth special session and at its regular sessions, and of the recommendations made to the competent organs of the United Nations and to the Conference on Disarmament,

Recognizing that prevention of an arms race in outer space would avert a grave danger for international peace and security,

Emphasizing the paramount importance of strict compliance with existing arms limitation and disarmament agreements relevant to outer space, including bilateral agreements, and with the existing legal regime concerning the use of outer space,

Considering that wide participation in the legal regime applicable to outer space could contribute to enhancing its effectiveness,

Noting that the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, taking into account its previous efforts since its establishment in 1985 and seeking to enhance its functioning in qualitative terms, continued the examination and identification of various issues, existing agreements and existing proposals, as well as future initiatives relevant to the prevention of an arms race in outer space,[22] and that this contributed to a better understanding of a number of problems and to a clearer perception of the various positions,

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[20] Resolution 2222 (XXI), annex.

[21] Resolution S-10/2.

[22] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 27* (A/49/27), sect. III.D (para. 5 of the quoted text).

Noting also that there were no objections in principle in the Conference on Disarmament during its 1997 session to the re-establishment of the Ad Hoc Committee, subject to re-examination of the mandate contained in the decision of the Conference on Disarmament of 13 February 1992,[23]

Emphasizing the mutually complementary nature of bilateral and multilateral efforts in the field of preventing an arms race in outer space, and hoping that concrete results will emerge from those efforts as soon as possible,

Convinced that further measures should be examined in the search for effective and verifiable bilateral and multilateral agreements in order to prevent an arms race in outer space, including the weaponization of outer space,

Stressing that the growing use of outer space increases the need for greater transparency and better information on the part of the international community,

Recalling in this context its previous resolutions, in particular resolutions 45/55 B of 4 December 1990, 47/51 of 9 December 1992 and 48/74 A of 16 December 1993, in which, *inter alia*, it reaffirmed the importance of confidence-building measures as means conducive to ensuring the attainment of the objective of the prevention of an arms race in outer space,

Conscious of the benefits of confidence- and security-building measures in the military field,

Recognizing that negotiations for the conclusion of an international agreement or agreements to prevent an arms race in outer space remain a priority task of the Ad Hoc Committee and that the concrete proposals on confidence-building measures could form an integral part of such agreements,

1. *Reaffirms* the importance and urgency of preventing an arms race in outer space, and the readiness of all States to contribute to that common objective, in conformity with the provisions of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies;[20]

2. *Reaffirms its recognition*, as stated in the report of the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space, that the legal regime applicable to outer space by itself does not guarantee the prevention of an arms race in outer space, that this legal regime plays a significant role in the prevention of an arms race in that environment, that there is a need to consolidate and reinforce that regime and enhance its effectiveness, and that it is important strictly to comply with existing agreements, both bilateral and multilateral;

3. *Emphasizes* the necessity of further measures with appropriate and effective provisions for verification to prevent an arms race in outer space;

4. *Calls upon* all States, in particular those with major space capabilities, to contribute actively to the objective of the peaceful use of outer space and of the prevention of an arms race in outer space and to refrain from actions contrary to that objective and to the relevant existing treaties in the interest of maintaining international peace and security and promoting international cooperation;

5. *Reiterates* that the Conference on Disarmament, as the single multilateral disarmament negotiating forum, has the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects;

6. *Invites* the Conference on Disarmament to re-examine the mandate contained in its decision of 13 February 1992,[23] with a view to updating it as appropriate, thus providing for the re-establishment of the Ad Hoc Committee during the 1998 session of the Conference on Disarmament;

7. *Recognizes*, in this respect, the growing convergence of views on the elaboration of measures designed to strengthen transparency, confidence and security in the peaceful uses of outer space;

8. *Urges* States conducting activities in outer space, as well as States interested in conducting such activities, to keep the Conference on Disarmament informed of the progress of bilateral or multilateral negotiations on the matter, if any, so as to facilitate its work;

9. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Prevention of an arms race in outer space".

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52/38. General and complete disarmament

A

CONVENTION ON THE PROHIBITION OF THE USE, STOCKPILING, PRODUCTION AND TRANSFER OF ANTI-PERSONNEL MINES AND ON THEIR DESTRUCTION

The General Assembly,

Determined to put an end to the suffering and casualties caused by anti-personnel mines that kill or maim hundreds of people every week, mostly innocent and defenceless civilians and especially children, obstruct economic development and reconstruction, inhibit the repatriation of refugees and internally displaced persons, and have other severe consequences for years after emplacement,

Believing it necessary to do the utmost to contribute in an efficient and coordinated manner to facing the challenge of removing anti-personnel mines placed throughout the world, and to assure their destruction,

Wishing to do the utmost in assuring assistance for the care and rehabilitation, including the social and economic reintegration, of mine victims,

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[23] CD/1125.

Recalling its resolution 51/45 S of 10 December 1996 urging all States to pursue vigorously an effective, legally binding international agreement to ban the use, stockpiling, production and transfer of anti-personnel landmines with a view to completing the negotiation as soon as possible,

Stressing the role of public conscience in furthering the principles of humanity as evidenced by the call for a total ban on anti-personnel mines, and recognizing the efforts to that end undertaken by the International Red Cross and Red Crescent Movement, the International Campaign to Ban Landmines and numerous other non-governmental organizations around the world,

Recalling the Ottawa Declaration of 5 October 1996[24] and the Brussels Declaration of 27 June 1997[25] urging the international community to negotiate an international and legally binding agreement prohibiting the use, stockpiling, production and transfer of anti-personnel mines,

Emphasizing the desirability of attracting the adherence of all States to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, and determined to work strenuously towards the promotion of its universalization in all relevant forums including, *inter alia*, the United Nations, the Conference on Disarmament, regional organizations and groupings, and review conferences of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,[26]

Basing itself on the principle of international humanitarian law that the right of the parties to an armed conflict to choose methods or means of warfare is not unlimited, on the principle that prohibits the employment in armed conflicts of weapons, projectiles and materials and methods of warfare of a nature to cause superfluous injury or unnecessary suffering and on the principle that a distinction must be made between civilians and combatants,

Welcoming the conclusion of negotiations on 18 September 1997 at Oslo on the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction,

1. *Invites* all States to sign the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, which was open for signature at Ottawa on 3 and 4 December 1997 and at Headquarters in New York on 5 December 1997, and which shall remain open for signature thereafter at Headquarters until its entry into force;

2. *Urges* all States to ratify the Convention without delay subsequent to their signatures;

3. *Calls upon* all States to contribute towards the full realization and effective implementation of the Convention to advance the care and rehabilitation, and the social and economic reintegration of mine victims, and mine-awareness programmes, and the removal of anti-personnel mines placed throughout the world and the assurance of their destruction;

4. *Requests* the Secretary-General to render the necessary assistance and to provide such services as may be necessary to fulfil the tasks entrusted to him by the Convention;

5. *Decides* to include in the provisional agenda of its fifty-third session an item entitled "Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction".

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B

TRANSPARENCY IN ARMAMENTS

The General Assembly,

Recalling its earlier resolutions on transparency in armaments,

Continuing to hold the view that an enhanced level of transparency in all types of armaments contributes greatly to confidence-building and security among States,

Taking duly into account the relationship between transparency and the security needs of all States at the regional and international levels,

Recognizing that, notwithstanding the fact that the United Nations Register of Conventional Arms[27] in its current form deals with seven categories of conventional weapons, the principle of transparency should also apply to weapons of mass destruction and to transfers of equipment and technologies directly related to the development and manufacture of such weapons,

Convinced that an enhanced level of transparency in weapons of mass destruction and transfers of equipment and technologies directly related to the development and manufacture of such weapons could serve as a catalyst towards general and complete disarmament,

Stressing the need to achieve universality of the Treaty on the Non-Proliferation of Nuclear Weapons,[28] the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on

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[24] A/C.1/51/10, annex I.

[25] See CD/1467.

[26] See *The United Nations Disarmament Yearbook*, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

[27] See resolution 46/36 L.

[28] United Nations, *Treaty Series*, vol. 729, No. 10485.

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Their Destruction[29] and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[30] as well as other instruments related to transfers of equipment and technologies directly related to the development and manufacture of such weapons, with a view to realizing the goal of the total elimination of all weapons of mass destruction,

1. *Takes note* of the reports of the Secretary-General on transparency in armaments;[31]

2. *Reaffirms its conviction* of the interrelationship between transparency in the field of conventional weapons and transparency in the fields of weapons of mass destruction and transfers of equipment and technologies directly related to the development and manufacture of such weapons;

3. *Requests* the Secretary-General to seek the views of Member States on ways and means of enhancing transparency in the fields of weapons of mass destruction and transfers of equipment and technologies directly related to the development and manufacture of such weapons with a view to enhancing transparency in the field of conventional weapons and to include in his report to the General Assembly at its fifty-third session a special section on the implementation of the present resolution;

4. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Transparency in armaments".

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C

ASSISTANCE TO STATES FOR CURBING THE ILLICIT TRAFFIC IN SMALL ARMS AND COLLECTING THEM

The General Assembly,

Recalling its resolutions 46/36 H of 6 December 1991, 47/52 G and J of 9 December 1992, 48/75 H and J of 16 December 1993, 49/75 G of 15 December 1994, 50/70 H of 12 December 1995 and 51/45 L of 10 December 1996,

Considering that the illicit circulation of massive quantities of small arms throughout the world impedes development and is a source of increased insecurity,

Considering also that the illicit international transfer of small arms and their accumulation in many countries constitute a threat to their populations and to national and regional security and are a factor contributing to the destabilization of States,

Basing itself on the statement of the Secretary-General relating to the request of Mali for United Nations assistance for the collection of small arms,

Gravely concerned at the extent of the insecurity and banditry linked to the illicit circulation of small arms in Mali and the other affected States of the Saharo-Sahelian subregion,

Taking note of the first conclusions of the United Nations advisory missions sent to the affected countries of the subregion by the Secretary-General to study the best way of curbing the illicit circulation of small arms and ensuring their collection,

Taking note also of the interest shown by the other States of the subregion in receiving a United Nations advisory mission,

Noting the actions taken and those recommended at the meetings of the States of the subregion held at Banjul, Algiers, Bamako, Yamoussoukro and Niamey to establish close regional cooperation with a view to strengthening security,

Basing itself on the report of the Secretary-General on the work of the Organization, in particular the section entitled "Preventive diplomacy, peaceful settlement of disputes and disarmament",[32]

1. *Welcomes* the initiative taken by Mali concerning the question of the illicit circulation of small arms and their collection in the affected States of the Saharo-Sahelian subregion;

2. *Also welcomes* the action taken by the Secretary-General in implementation of this initiative in the context of General Assembly resolution 40/151 H of 16 December 1985;

3. *Thanks* the Governments concerned in the subregion for the substantial support that they have given to the United Nations advisory missions, and welcomes the declared readiness of other States to receive the United Nations Advisory Mission;

4. *Encourages* the Secretary-General to continue his efforts, in the context of the implementation of resolution 49/75 G and of the recommendations of the United Nations advisory missions, to curb the illicit circulation of small arms and to collect such arms in the affected States that so request, with the support of the United Nations Regional Centre for Peace and Disarmament in Africa and in close cooperation with the Organization of African Unity;

5. *Notes* that, as part of its efforts to halt the flow of small arms into Mali and the Saharo-Sahelian subregion, the Government of Mali oversaw the destruction, at the "Flame of Peace" ceremony held at Timbuktu, Mali, on 27 March 1996, of thousands of small arms handed over by ex-combatants of the armed movements of northern Mali;

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[29] *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 27* (A/47/27), appendix I.

[30] Resolution 2826 (XXVI), annex.

[31] A/52/312 and Corr.1 and 2 and Add.1 and 2 and A/52/316.

[32] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 1* (A/52/1), sect. II.D.

6. *Encourages* the setting up in the countries of the Saharo-Sahelian subregion of national commissions against the proliferation of small arms, and invites the international community to support as far as possible the smooth functioning of the national commissions where they have been set up;

7. *Takes note* of the conclusions of the ministerial consultation on the proposal for a moratorium on the importing, exporting and manufacture of light weapons in the region, held at Bamako on 26 March 1997, and encourages the States concerned to pursue their consultations on the matter;

8. *Requests* the Secretary-General to continue to examine the issue and to submit to the General Assembly at its fifty-third session a report on the implementation of the present resolution;

9. *Decides* to include in the provisional agenda of its fifty-third session an item entitled "Assistance to States for curbing the illicit traffic in small arms and collecting them".

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D

RELATIONSHIP BETWEEN DISARMAMENT AND DEVELOPMENT

The General Assembly,

Recalling the provisions of the Final Document of the Tenth Special Session of the General Assembly[33] concerning the relationship between disarmament and development,

Recalling also the adoption on 11 September 1987 of the Final Document of the International Conference on the Relationship between Disarmament and Development,[34]

Recalling further its resolutions 49/75 J of 15 December 1994, 50/70 G of 12 December 1995 and 51/45 D of 10 December 1996,

Bearing in mind the Final Document of the Eleventh Conference of Heads of State or Government of the Non-Aligned Countries, held at Cartagena de Indias, Colombia, from 18 to 20 October 1995,[35]

Stressing the growing importance of the symbiotic relationship between disarmament and development in current international relations,

1. *Acknowledges* the note by the Secretary-General[36] and actions taken in accordance with the Final Document of the International Conference on the Relationship between Disarmament and Development;[34]

2. *Urges* the international community to devote part of the resources made available by the implementation of disarmament and arms limitation agreements to economic and social development, with a view to reducing the ever widening gap between developed and developing countries;

3. *Invites* all Member States to communicate to the Secretary-General, by 15 April 1998, their views and proposals for the implementation of the action programme adopted at the International Conference on the Relationship between Disarmament and Development,[37] as well as any other views and proposals with a view to achieving the goals of the action programme, within the framework of current international relations;

4. *Requests* the Secretary-General to continue to take action, through appropriate organs and within available resources, for the implementation of the action programme adopted at the International Conference;

5. *Also requests* the Secretary-General to submit a report to the General Assembly at its fifty-third session;

6. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Relationship between disarmament and development".

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E

OBSERVANCE OF ENVIRONMENTAL NORMS IN THE DRAFTING AND IMPLEMENTATION OF AGREEMENTS ON DISARMAMENT AND ARMS CONTROL

The General Assembly,

Recalling its resolutions 50/70 M of 12 December 1995 and 51/45 E of 10 December 1996,

Emphasizing the importance of the observance of environmental norms in the preparation and implementation of disarmament and arms limitation agreements,

Recognizing that it is necessary to take duly into account the agreements adopted at the United Nations Conference on Environment and Development, as well as prior relevant agreements, in the drafting and implementation of agreements on disarmament and arms limitation,

Mindful of the detrimental environmental effects of the use of nuclear weapons,

1. *Reaffirms* that international disarmament forums take fully into account the relevant environmental norms in negotiating treaties and agreements on disarmament and arms limitation and that all States, through their actions, fully

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[33] Resolution S-10/2.

[34] United Nations publication, Sales No. E.87.IX.8.

[35] A/50/752-S/1995/1035, annex III; see *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/1035.

[36] A/52/228.

[37] United Nations publication, Sales No. E.87.IX.8, para. 35.

contribute to ensuring compliance with the aforementioned norms in the implementation of treaties and conventions to which they are parties;

2. *Calls upon* States to adopt unilateral, bilateral, regional and multilateral measures so as to contribute to ensuring the application of scientific and technological progress in the framework of international security, disarmament and other related spheres, without detriment to the environment or to its effective contribution to attaining sustainable development;

3. *Invites* all Member States to communicate to the Secretary-General information on the measures they have adopted to promote the objectives envisaged in the present resolution, and requests the Secretary-General to submit a report containing this information to the General Assembly at its fifty-third session;

4. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control".

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F

CONVENING OF THE FOURTH SPECIAL SESSION OF THE GENERAL ASSEMBLY DEVOTED TO DISARMAMENT: REPORT OF THE PREPARATORY COMMITTEE FOR THE FOURTH SPECIAL SESSION OF THE GENERAL ASSEMBLY DEVOTED TO DISARMAMENT

The General Assembly,

Recalling its resolutions 49/75 I of 15 December 1994, 50/70 F of 12 December 1995 and 51/45 C of 10 December 1996,

Recalling also that, there being a consensus to do so in each case, three special sessions of the General Assembly devoted to disarmament were held in 1978, 1982 and 1988, respectively,

Bearing in mind the Final Document of the Tenth Special Session of the General Assembly,[33] the first special session devoted to disarmament, and the objective of general and complete disarmament under effective international control,

Welcoming the recent positive changes in the international landscape, characterized by the end of the cold war, the relaxation of tensions at the global level and the emergence of a new spirit governing relations among nations,

Taking note of paragraph 108 of the Final Document of the Eleventh Conference of Heads of State or Government of the Non-Aligned Countries, held at Cartagena de Indias, Colombia, from 18 to 20 October 1995,[35] which supported the convening of the fourth special session of the General Assembly devoted to disarmament in 1997, which would offer an opportunity to review, from a perspective more in tune with the current international situation, the most critical aspects of the process of disarmament and to mobilize the international community and public opinion in favour of the elimination of nuclear and other weapons of mass destruction and of the control and reduction of conventional weapons,

Taking note also of the report of the 1997 substantive session of the Disarmament Commission on the item entitled "Fourth special session of the General Assembly devoted to disarmament",[38]

Desiring to build upon the substantive exchange of views on the fourth special session of the General Assembly devoted to disarmament during the 1997 substantive session of the Disarmament Commission,

Reiterating its conviction that a special session of the General Assembly devoted to disarmament can set the future course of action in the field of disarmament, arms control and related international security matters,

Emphasizing the importance of multilateralism in the process of disarmament and arms control, peace and security,

Noting that, with the completion of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction[29] and in 1996, the adoption of the Comprehensive Nuclear-Test-Ban Treaty,[39] as well as of amended Protocol II[40] and new Protocol IV[40] to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,[26] the following years would be opportune for the international community to start the process of reviewing the state of affairs in the entire field of disarmament and arms control in the post-cold-war era,

1. *Decides*, subject to the emergence of a consensus on its objectives and agenda, to convene the fourth special session of the General Assembly devoted to disarmament;

2. *Endorses* the recommendation of the Disarmament Commission at its 1997 substantive session[38] that the item entitled "Fourth special session of the General Assembly devoted to disarmament" should be included in the agenda of the Commission at its 1998 session;

3. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Convening of the fourth special session of the General Assembly devoted to disarmament" and, subject to the outcome of the deliberations at the 1998 substantive session of the Disarmament Commission, to set an exact date for and to decide on organizational matters relating to the convening of the special session.

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[38] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 42* (A/52/42), para. 44.

[39] See resolution 50/245.

[40] See CCW/CONF.I/16 (Part I).

G

CONSOLIDATION OF PEACE THROUGH PRACTICAL DISARMAMENT MEASURES

The General Assembly,

Recalling its resolution 51/45 N of 10 December 1996,

Convinced that a comprehensive and integrated approach towards certain practical disarmament measures, such as, *inter alia*, arms control, particularly with regard to small arms and light weapons, confidence-building measures, demobilization and reintegration of former combatants, demining and conversion, often is a prerequisite to maintaining and consolidating peace and security and thus provides a basis for effective rehabilitation and social and economic development in areas that have suffered from conflict,

Noting with satisfaction that, since the adoption of resolution 51/45 N, the importance of such practical disarmament measures has received growing attention from the international community in general, and from interested and affected Member States in particular, as well as from the Secretary-General,

Stressing that further efforts are needed in order to develop and effectively implement programmes of practical disarmament in affected areas,

Recalling the deliberations at the 1997 substantive session of the Disarmament Commission in Working Group III on agenda item 6, entitled "Guidelines on conventional arms control/limitation and disarmament, with particular emphasis on consolidation of peace in the context of General Assembly resolution 51/45 N", where the scope of resolution 51/45 N was a major focus,

Welcoming the adoption by the Disarmament Commission of the "Guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991",[41]

Noting, with reference to its resolution 50/70 B of 12 December 1995, the report of the Panel of Governmental Experts on Small Arms[42] and its relevance in the context of the present resolution and of the ongoing work in the Disarmament Commission,

1. *Stresses* the particular relevance of the deliberations at the 1997 substantive session of the Disarmament Commission in Working Group III on agenda item 6, entitled "Guidelines on conventional arms control/limitation and disarmament, with particular emphasis on consolidation of peace in the context of General Assembly resolution 51/45 N" for this topic, takes note of the Chairman's paper of 9 May 1997[43] and other views expressed, as a useful basis for further deliberations, and encourages the Disarmament Commission to continue its efforts aimed at the adoption of such guidelines;

2. *Takes note* of the report of the Secretary-General on the consolidation of peace through practical disarmament measures,[44] submitted pursuant to resolution 51/45 N, and encourages Member States as well as regional arrangements and agencies to lend their support to the implementation of relevant recommendations contained therein;

3. *Recognizes*, with reference to paragraph 12 of section III of the report[44] that the readiness of the international community to assist affected States in their efforts to consolidate peace would greatly benefit the effective implementation of practical disarmament measures;

4. *Invites* interested States to establish a group in order to facilitate this process and to build upon the momentum generated, and requests the Secretary-General to lend his support to the efforts of such a group;

5. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Consolidation of peace through practical disarmament measures".

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H

CONTRIBUTIONS TOWARDS BANNING ANTI-PERSONNEL LANDMINES

The General Assembly,

Recalling its previous resolutions 48/75 K of 16 December 1993, 49/75 D of 15 December 1994, 50/70 O of 12 December 1995 and 51/45 S of 10 December 1996,

Taking into account the efforts to address the landmine issue, and underlining that the efforts made within different forums should be mutually reinforcing,

Taking note of the decisions taken by States to adopt bans, moratoriums or other restrictions on transfers of anti-personnel landmines, and other measures taken unilaterally,

Welcoming the ongoing national, regional and multilateral efforts in demining and victim rehabilitation,

Having considered the report of the Conference on Disarmament,[45]

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[41] *Official Records of the General Assembly, Fifty-first Session, Supplement No. 42* (A/51/42), annex I.

[42] A/52/298, annex.

[43] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 42* (A/52/42), annex III.

[44] A/52/289.

[45] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 27* (A/52/27).

1. *Urges* all States and regional organizations to intensify their efforts to contribute to the objective of the elimination of anti-personnel landmines;

2. *Welcomes*, as interim measures, the various bans, moratoriums and other restrictions already declared by States on anti-personnel landmines, and calls upon States that have not yet done so to declare and implement such bans, moratoriums and other restrictions as soon as possible;

3. *Invites* the Conference on Disarmament to intensify its efforts on the issue of anti-personnel landmines;

4. *Decides* to include in the provisional agenda of its fifty-third session an item entitled "Contributions towards banning anti-personnel landmines".

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I

PROHIBITION OF THE DUMPING OF RADIOACTIVE WASTES

The General Assembly,

Bearing in mind resolutions CM/Res.1153 (XLVIII) of 1988[46] and CM/Res.1225 (L) of 1989,[47] adopted by the Council of Ministers of the Organization of African Unity, concerning the dumping of nuclear and industrial wastes in Africa,

Welcoming resolution GC(XXXIV)/RES/530 establishing a Code of Practice on the International Transboundary Movement of Radioactive Waste, adopted on 21 September 1990 by the General Conference of the International Atomic Energy Agency at its thirty-fourth regular session,[48]

Welcoming also resolution GC(XXXVIII)/RES/6, adopted on 23 September 1994 by the General Conference of the International Atomic Energy Agency at its thirty-eighth regular session,[49] inviting the Board of Governors and the Director General of the Agency to commence preparations for a convention on the safety of radioactive waste management, and noting the progress that has been made in that regard,

Taking note of the commitment by the participants at the Summit on Nuclear Safety and Security, held in Moscow on 19 and 20 April 1996, to ban the dumping at sea of radioactive wastes,[50]

Considering its resolution 2602 C (XXIV) of 16 December 1969, in which it requested the Conference of the Committee on Disarmament,[51] *inter alia*, to consider effective methods of control against the use of radiological methods of warfare,

Recalling resolution CM/Res.1356 (LIV) of 1991, adopted by the Council of Ministers of the Organization of African Unity,[52] on the Bamako Convention on the Ban on the Import of Hazardous Wastes into Africa and on the Control of Their Transboundary Movements within Africa,

Aware of the potential hazards underlying any use of radioactive wastes that would constitute radiological warfare and its implications for regional and international security, in particular for the security of developing countries,

Recalling all its resolutions on the matter since its forty-third session in 1988, including its resolution 51/45 J of 10 December 1996,

Desirous of promoting the implementation of paragraph 76 of the Final Document of the Tenth Special Session of the General Assembly,[33] the first special session devoted to disarmament,

1. *Takes note* of the part of the report of the Conference on Disarmament relating to a future convention on the prohibition of radiological weapons;[53]

2. *Expresses grave concern* regarding any use of nuclear wastes that would constitute radiological warfare and have grave implications for the national security of all States;

3. *Calls upon* all States to take appropriate measures with a view to preventing any dumping of nuclear or radioactive wastes that would infringe upon the sovereignty of States;

4. *Requests* the Conference on Disarmament to take into account, in the negotiations for a convention on the prohibition of radiological weapons, radioactive wastes as part of the scope of such a convention;

5. *Also requests* the Conference on Disarmament to intensify efforts towards an early conclusion of such a convention and to include in its report to the General Assembly at its fifty-third session the progress recorded in the negotiations on this subject;

6. *Takes note* of resolution CM/Res.1356 (LIV) of 1991, adopted by the Council of Ministers of the Organization of African Unity,[52] on the Bamako Convention on the Ban on

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[46] See A/43/398, annex I.

[47] See A/44/603, annex I.

[48] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Thirty-fourth Regular Session*, 17-21 September 1990 (GC(XXXIV)/RESOLUTIONS (1990)).

[49] Ibid., *Thirty-eighth Regular Session*, 19-23 September 1994 (GC(XXXVIII)/RES/DEC (1994)).

[50] A/51/131, annex I, para. 20.

[51] The Conference of the Committee on Disarmament became the Committee on Disarmament as from the tenth special session of the General Assembly. The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

[52] See A/46/390, annex I.

[53] See *Official Records of the General Assembly, Fifty-second Session, Supplement No. 27* (A/52/27), sect. III.E.

the Import of Hazardous Wastes into Africa and on the Control of Their Transboundary Movements within Africa;

7. *Expresses the hope* that the effective implementation of the International Atomic Energy Agency Code of Practice on the International Transboundary Movement of Radioactive Waste[48] will enhance the protection of all States from the dumping of radioactive wastes on their territories;

8. *Welcomes* the adoption at Vienna on 5 September 1997 of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, as recommended by the participants in the Moscow Summit on Nuclear Safety and Security, and the signing of the Joint Convention by a number of States beginning on 29 September 1997, and appeals to all States to sign and subsequently ratify, accept or approve the Convention, so that it may enter into force as soon as possible;

9. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Prohibition of the dumping of radioactive wastes".

67th plenary meeting
9 December 1997

J

SMALL ARMS

The General Assembly,

Recalling its resolution 50/70 B of 12 December 1995,

Recalling also its resolution 51/45 L of 10 December 1996, in which it welcomed the initiative taken by Mali concerning the question of the illicit circulation of small arms and their collection in the affected States of the Saharo-Sahelian subregion,

Convinced of the need for a comprehensive approach to promote, at the global and regional levels, the control and reduction of small arms and light weapons in a balanced and non-discriminatory manner as a contribution to international peace and security,

Reaffirming the inherent right to individual or collective self-defence recognized in Article 51 of the Charter of the United Nations, which implies that States also have the right to acquire arms with which to defend themselves,

Reaffirming also the right of self-determination of all peoples, in particular peoples under colonial or other forms of alien domination or foreign occupation, and the importance of the effective realization of this right, as enunciated, *inter alia*, in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[54]

Reaffirming further the urgent need for practical disarmament in the context of the conflicts the United Nations is actually dealing with and of the weapons that are actually killing people in the hundreds of thousands,

Welcoming the submission of the report of the Secretary-General prepared with the assistance of the Panel of Governmental Experts on Small Arms,[42] which contains measures to reduce the excessive and destabilizing accumulation and transfer of small arms and light weapons in specific regions of the world and to prevent such accumulations and transfers from occurring in future,

Welcoming also the guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991, which were adopted by consensus by the Disarmament Commission in 1996,[41] and taking note of the ongoing efforts of the Commission to consider guidelines for post-conflict situations, including demobilization of former combatants, disposal and destruction of weapons, as well as confidence- and security-building measures,

1. *Endorses* the recommendations contained in the report on small arms,[42] which was approved unanimously by the Panel of Governmental Experts on Small Arms, bearing in mind the views of Member States on the recommendations;

2. *Calls upon* all Member States to implement the relevant recommendations to the extent possible and where necessary in cooperation with appropriate international and regional organizations and/or through international and regional cooperation among police, intelligence, customs and border control services;

3. *Requests* the Secretary-General to implement the relevant recommendations, in particular to initiate a study on the problems of ammunition and explosives in all their aspects, as early as possible, within available financial resources, and in cooperation with appropriate international and regional organizations where necessary;

4. *Also requests* the Secretary-General to seek the views of Member States on the report and on the steps that they have taken to implement its recommendations, and, in particular, to seek their views on the recommendation concerning the convening of an international conference on the illicit arms trade in all its aspects in time for consideration by the General Assembly at its fifty-third session;

5. *Further requests* the Secretary-General to prepare a report, with the assistance of a group of governmental experts to be nominated by him in 1998 on the basis of equitable geographical representation, (*a*) on the progress made in the implementation of the recommendations of the report on small arms and (*b*) on further actions recommended to be taken, to be submitted to the General Assembly at its fifty-fourth session;

6. *Encourages* Member States and the Secretary-General to carry out recommendations for post-conflict situations, including demobilization of former combatants and disposal and destruction of weapons;

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[54] A/CONF.157/24 (Part I), chap. III.

7. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Small arms".

67th plenary meeting
9 December 1997

K

NUCLEAR DISARMAMENT WITH A VIEW TO THE ULTIMATE ELIMINATION OF NUCLEAR WEAPONS

The General Assembly,

Recalling its resolutions 49/75 H of 15 December 1994, 50/70 C of 12 December 1995 and 51/45 G of 10 December 1996,

Recognizing that the end of the cold war has increased the possibility of freeing the world from the fear of nuclear war,

Appreciating the entry into force of the Treaty on the Reduction and Limitation of Strategic Offensive Arms,[55] to which Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America are parties, and looking forward to the early entry into force of the Treaty on Further Reduction and Limitation of Strategic Offensive Arms,[56] which was ratified by the United States of America,

Welcoming the reductions in the nuclear arsenals of other nuclear-weapon States,

Welcoming the removal of all nuclear weapons of the former Union of Soviet Socialist Republics from the territories of Belarus, Kazakhstan and Ukraine,

Welcoming the joint statement issued by the Presidents of the Russian Federation and the United States of America at Helsinki on 21 March 1997,[57] which set forth the common understanding that, once the Treaty on Further Reduction and Limitation of Strategic Offensive Arms enters into force, these two States will immediately begin negotiations on a START III agreement,

Welcoming the decision of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to extend the Treaty indefinitely,[58] taken without a vote, as well as the decisions on strengthening the review process for the Treaty[59] and on the principles and objectives for nuclear non-proliferation and disarmament,[60]

Noting the reference in the decision on the principles and objectives for nuclear non-proliferation and disarmament[60] to the importance of the following measures for the full realization and effective implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons,[28] including the programme of action as reflected below:

(*a*) The completion by the Conference on Disarmament of the negotiations on a universal and internationally and effectively verifiable comprehensive nuclear-test-ban treaty no later than 1996, and utmost restraint that should be exercised by the nuclear-weapon States pending the entry into force of that treaty,

(*b*) The immediate commencement and early conclusion of negotiations on a non-discriminatory and universally applicable convention banning the production of fissile materials for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator of the Conference on Disarmament and the mandate contained therein,

(*c*) The determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control,

Welcoming the adoption of the Comprehensive Nuclear-Test-Ban Treaty at the fiftieth session of the General Assembly[39] and its opening for signature at the beginning of the fifty-first session, and noting the subsequent signing of that Treaty by over one hundred and forty Member States,

Welcoming also the smooth start of the strengthened review process of the Treaty on the Non-Proliferation of Nuclear Weapons with the successful conclusion in April 1997 of the first meeting of the Preparatory Committee for the next Review Conference, which will be held in the year 2000,

Recalling that nuclear non-proliferation and the promotion of nuclear disarmament are key elements in the maintenance of international peace and security, which is one of the most important purposes of the United Nations,

1. *Urges* States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons[28] to accede to it at the earliest possible date, recognizing the importance of universal adherence to the Treaty;

2. *Calls* for the determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control, and invites them to keep States Members of the United Nations duly informed of the progress or efforts made;

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[55] *The United Nations Disarmament Yearbook*, vol. 16: 1991 (United Nations publication, Sales No. E.92.IX.1), appendix II.

[56] Ibid., vol. 18: 1993 (United Nations publication, Sales No. E.94.IX.1), appendix II.

[57] See CD/1460.

[58] *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I)), annex, decision 3.

[59] Ibid., decision 1.

[60] Ibid., decision 2.

3. *Welcomes* the ongoing efforts in the dismantlement of nuclear weapons, and notes the importance of the safe and effective management of the resultant fissile materials;

4. *Calls upon* all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to make their best efforts for the success of the next Review Conference, which will be held in the year 2000;

5. *Calls upon* all States to implement fully their commitments in the field of disarmament and non-proliferation of weapons of mass destruction.

67th plenary meeting
9 December 1997

L

NUCLEAR DISARMAMENT

The General Assembly,

Recalling its resolution 49/75 E of 15 December 1994 on a step-by-step reduction of the nuclear threat, and its resolutions 50/70 P of 12 December 1995 and 51/45 O of 10 December 1996 on nuclear disarmament,

Reaffirming the commitment of the international community to the goal of the total elimination of nuclear weapons and the creation of a nuclear-weapon-free world,

Bearing in mind that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction[30] and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction[29] have already established legal regimes on the complete prohibition of biological and chemical weapons, respectively, and determined to achieve a nuclear weapons convention on the prohibition of the testing, development, production, stockpiling, loan, transfer, use and threat of use of nuclear weapons and on their destruction, and to conclude such an international convention at an early date,

Recognizing that there now exist favourable conditions for creating a world free of nuclear weapons,

Bearing in mind paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly,[33] the first special session devoted to disarmament, calling for the urgent negotiation of agreements for the cessation of the qualitative improvement and development of nuclear-weapon systems, and for a comprehensive and phased programme with agreed time-frames, wherever feasible, for the progressive and balanced reduction of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time,

Reiterating the highest priority accorded to nuclear disarmament in the Final Document of the Tenth Special Session of the General Assembly and by the international community,

Recognizing that the Comprehensive Nuclear-Test-Ban Treaty[53] and any proposed treaty on fissile material for nuclear weapons or other nuclear explosive devices must constitute disarmament measures, and not only non-proliferation measures, and that these measures, together with an international legal instrument on adequate security assurances for non-nuclear-weapon States and an international convention prohibiting the use of nuclear weapons, must be integral steps leading to the total elimination of nuclear weapons within a time-bound framework,

Welcoming the entry into force of the Treaty on the Reduction and Limitation of Strategic Offensive Arms,[55] to which Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America are States parties,

Welcoming also the conclusion of the Treaty on Further Reduction and Limitation of Strategic Offensive Arms[56] by the Russian Federation and the United States of America and the ratification of that Treaty by the United States of America, and looking forward to the full implementation of the START I[55] and START II[56] Treaties by the States parties, and to further concrete steps for nuclear disarmament by all nuclear-weapon States,

Noting with appreciation the unilateral measures by the nuclear-weapon States for nuclear arms limitation, and encouraging them to undertake further such measures,

Recognizing the complementarity of bilateral and multilateral negotiations on nuclear disarmament, and that bilateral negotiations can never replace multilateral negotiations in this respect,

Noting the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and the multilateral efforts in the Conference on Disarmament to reach agreement on such an international convention at an early date,

Recalling the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued on 8 July 1996,[61] and welcoming the unanimous reaffirmation by all Judges of the Court that there exists an obligation for all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

Mindful of paragraph 84 and other relevant recommendations in the Final Document of the Eleventh Conference of Heads of State or Government of the Non-Aligned Countries, held at Cartagena de Indias, Colombia, from 18 to 20 October 1995,[35] calling upon the Conference on Disarmament to establish, on a priority basis, an ad hoc committee to commence negotiations early in 1996 on a phased programme of nuclear disarmament and for the eventual elimination of nuclear weapons within a time-bound framework; paragraph 58 of the final document of the Twelfth Ministerial Conference of the Movement of Non-Aligned Countries, held at New Delhi on 7 and 8 April 1997;[62] and paragraphs 40 to 42 of the communiqué of the Meeting of Ministers for Foreign Affairs and Heads of Delegations of the Movement of Non-Aligned Countries to the Fifty-second Session of the General Assembly, held in New York on 25 September 1997,[63] which called for, as a first step, the conclusion of a universal and legally binding multilateral agreement committing all States to the total elimination of nuclear weapons,

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[61] A/51/218, annex.

Bearing in mind the proposal of twenty-eight delegations to the Conference on Disarmament that are members of the Group of 21 for a programme of action for the elimination of nuclear weapons,[64] and expressing its conviction that this proposal will be an important input and will contribute to negotiations on this question in the Conference,

Commending the initiative by twenty-six delegations to the Conference on Disarmament that are members of the Group of 21,[65] proposing a comprehensive mandate for an ad hoc committee on nuclear disarmament, which includes negotiations for, as a first step, a universal and legally binding multilateral agreement committing all States to the objective of the total elimination of nuclear weapons, an agreement on further steps required in a phased programme with time-frames leading to the total elimination of these weapons and a convention on the prohibition of the production of fissile material for nuclear weapons and other nuclear explosive devices taking into account the report of the Special Coordinator on that item[66] and the views relating to the scope of the treaty,

1. *Recognizes* that, in view of recent political developments, the time is now opportune for all nuclear-weapon States to undertake effective disarmament measures with a view to the total elimination of these weapons within a time-bound framework;

2. *Recognizes also* that there is a genuine need to de-emphasize the role of nuclear weapons, and to review and revise nuclear doctrines accordingly;

3. *Urges* the nuclear-weapon States to stop immediately the qualitative improvement, development, production and stockpiling of nuclear warheads and their delivery systems;

4. *Reiterates its call upon* the nuclear-weapon States to undertake the step-by-step reduction of the nuclear threat and a phased programme of progressive and balanced deep reductions of nuclear weapons, and to carry out effective nuclear disarmament measures with a view to the total elimination of these weapons within a time-bound framework;

5. *Expresses its concern* at the continuing opposition by some States to the establishment of an ad hoc committee on nuclear disarmament in the Conference on Disarmament, as called for in General Assembly resolution 51/45 O;

6. *Reiterates its call upon* the Conference on Disarmament to establish, on a priority basis, an ad hoc committee on nuclear disarmament to commence negotiations early in 1998 on a phased programme of nuclear disarmament and for the eventual elimination of nuclear weapons within a time-bound framework through a nuclear weapons convention;

7. *Urges* the Conference on Disarmament to take into account in this regard the proposal of the twenty-eight delegations for a programme of action for the elimination of nuclear weapons,[64] as well as the mandate for the ad hoc committee on nuclear disarmament, proposed by the twenty-six delegations;[65]

8. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report on the implementation of the present resolution;

9. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Nuclear disarmament".

67th plenary meeting
9 December 1997

M

BILATERAL NUCLEAR ARMS NEGOTIATIONS AND NUCLEAR DISARMAMENT

The General Assembly,

Recalling its previous relevant resolutions,

Recognizing the fundamental changes that have taken place with respect to international security, which have permitted agreements on deep reductions in the nuclear armaments of the States possessing the largest inventories of such weapons,

Mindful that it is the responsibility and obligation of all States to contribute to the process of the relaxation of international tension and to the strengthening of international peace and security and, in this connection, to adopt and implement measures towards the attainment of general and complete disarmament under strict and effective international control,

Appreciating a number of positive developments in the field of nuclear disarmament, in particular the Treaty between the Union of Soviet Socialist Republics and the United States of America on the Elimination of Their Intermediate-Range and Shorter-Range Missiles,[67] and the treaties on the reduction and limitation of strategic offensive arms,

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[62] A/51/912-S/1997/406, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for July, August and September 1997*, document S/1997/406.

[63] A/52/447-S/1997/775, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for October, November and December 1997*, document S/1997/775.

[64] A/C.1/51/12, annex.

[65] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 27* (A/52/27), para. 30.

[66] CD/1299.

Appreciating also the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons,[28] and acknowledging the importance of the determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control,

Welcoming the steps that have already been taken by the Russian Federation and the United States of America to begin the process of reducing the number of nuclear weapons and removing such weapons from a deployed status, and bilateral agreements on de-targeting strategic nuclear missiles,

Noting the new climate of relations between the States of the former Union of Soviet Socialist Republics and the United States of America, which permits them to intensify their cooperative efforts to ensure the safety, security, and environmentally sound destruction of nuclear weapons,

Recalling the Moscow Summit Declaration on Nuclear Safety and Security of April 1996,[68]

Urging early action to complete the ratification of the Treaty on Further Reduction and Limitation of Strategic Offensive Arms[56] and further intensification of efforts to accelerate the implementation of agreements and unilateral decisions relating to nuclear arms reduction,

Appreciating the joint statement on future reductions in nuclear forces and the joint statement outlining the elements of an agreement for higher-velocity theatre missile defence systems, both issued on 21 March 1997 by the Russian Federation and the United States of America,[57] as well as their joint statement of 10 May 1995 in connection with the Treaty on the Limitation of Anti-Ballistic Missile Systems,[69]

Welcoming the significant reductions made by other nuclear-weapon States, and encouraging all nuclear-weapon States to consider appropriate measures relating to nuclear disarmament,

1. *Welcomes* the entry into force of the Treaty on the Reduction and Limitation of Strategic Offensive Arms, signed in Moscow on 31 July 1991 by the Union of Soviet Socialist Republics and the United States of America,[55] including the Protocol to that Treaty signed at Lisbon on 23 May 1992 by the parties thereto, and the exchange of documents of ratification between Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America on 5 December 1994 at Budapest;

2. *Also welcomes* the signing of the Treaty between the Russian Federation and the United States of America on Further Reduction and Limitation of Strategic Offensive Arms in Moscow on 3 January 1993,[56] and urges the parties to take the steps necessary to bring that Treaty into force at the earliest possible date;

3. *Further welcomes* the joint statement issued at Helsinki on 21 March 1997,[57] in which Presidents Yeltsin and Clinton reached an understanding that after the entry into force of START II, their two countries would immediately commence negotiations on a START III agreement, which would include the establishment, by 31 December 2007, of lower aggregate levels of 2,000 to 2,500 strategic nuclear warheads, take measures relating to the transparency of strategic nuclear warhead inventories and destruction of strategic nuclear warheads, and carry out other actions to promote the irreversibility of these deep reductions;

4. *Notes with satisfaction* the Protocol to START II, the Joint Agreed Statement, and the Letters on Early Deactivation, signed by the Russian Federation and the United States of America in New York on 26 September 1997, which are intended to promote the further process of still deeper reductions and limitations of strategic offensive arms;

5. *Welcomes* the signing on 26 September 1997 by Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America of a number of significant agreements that contribute to ensuring the viability of the Treaty on the Limitation of Anti-Ballistic Missile Systems;[69]

6. *Expresses its satisfaction* at the entry into force and ongoing implementation of the 1991 Treaty[55] as well as the advice and consent of the Senate of the United States of America to the 1993 Treaty,[56] and expresses its hope that it will soon be possible for the Russian Federation to take corresponding steps for ratifying that Treaty;

7. *Expresses further satisfaction* at the continuing implementation of the Treaty between the Union of Soviet Socialist Republics and the United States of America on the Elimination of Their Intermediate-Range and Shorter-Range Missiles,[67] in particular at the completion by the parties of the destruction of all their declared missiles subject to elimination under the Treaty;

8. *Welcomes* the removal of all nuclear weapons from the territory of Kazakhstan as of 1 June 1995, from the territory of Ukraine as of 1 June 1996, and from the territory of Belarus as of 30 November 1996;

9. *Encourages* Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America to continue their cooperative efforts aimed at eliminating nuclear weapons and strategic offensive arms on the basis of existing agreements, and welcomes the contributions that other States are making to such cooperation as well;

10. *Welcomes* the participation in the Treaty on the Non-Proliferation of Nuclear Weapons[28] of Belarus,

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[67] *The United Nations Disarmament Yearbook*, vol. 12: 1987 (United Nations publication, Sales No. E.88.IX.2), appendix VII.

[68] A/51/131, annex I.

[69] United Nations, *Treaty Series*, vol. 944, No. 13446.

Kazakhstan and Ukraine as non-nuclear States, which thereby provided notable enhancement of the non-proliferation regime;

11. *Urges* the Russian Federation and the United States of America to commence negotiations on a START III agreement immediately after START II enters into force, thereby realizing the understandings they reached in the joint statement issued at Helsinki;[57]

12. *Encourages and supports* the Russian Federation and the United States of America in their efforts to reduce their nuclear weapons and to continue to give those efforts the highest priority in order to contribute to the ultimate goal of eliminating those weapons;

13. *Invites* the Russian Federation and the United States of America to keep other States Members of the United Nations duly informed of progress in their discussions and in the implementation of their strategic offensive arms agreements and unilateral decisions.

67th plenary meeting
9 December 1997

N

THE NUCLEAR-WEAPON-FREE SOUTHERN HEMISPHERE AND ADJACENT AREAS

The General Assembly,

Recalling its resolution 51/45 B of 10 December 1996,

Determined to continue to contribute to the prevention of the proliferation of nuclear weapons in all its aspects and to the process of general and complete disarmament under strict and effective international control, in particular in the field of nuclear weapons and other weapons of mass destruction, with a view to strengthening international peace and security, in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the provisions on nuclear-weapon-free zones of the Final Document of the Tenth Special Session of the General Assembly,[33] the first special session devoted to disarmament, as well as of the decision on principles and objectives for nuclear non-proliferation and disarmament of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[60]

Stressing the importance of the treaties of Tlatelolco,[70] Rarotonga,[71] Bangkok,[72] and Pelindaba,[73] establishing nuclear-weapon-free zones, as well as the Antarctic Treaty,[74] to, *inter alia*, the ultimate objective of achieving a world entirely free of nuclear weapons, and underlining also the value of enhancing cooperation among the nuclear-weapon-free zone treaty members by means of mechanisms such as joint meetings of States parties, signatories and observers to those treaties,

Recalling the applicable principles and rules of international law relating to rights of passage through maritime space, including under the United Nations Convention on the Law of the Sea,[75]

1. *Welcomes* the contribution that the Antarctic Treaty[74] and the treaties of Tlatelolco,[70] Rarotonga,[71] Bangkok[72] and Pelindaba[73] are making towards freeing the entire southern hemisphere and adjacent areas covered by those treaties from nuclear weapons;

2. *Calls* for the ratification of the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba by all regional States, and calls upon all concerned States to continue to work together in order to facilitate adherence to the protocols to nuclear-weapon-free zone treaties by all relevant States that have not yet done so;

3. *Welcomes* the steps taken to conclude further nuclear-weapon-free zone treaties on the basis of arrangements freely arrived at among the States of the region concerned, and calls upon all States to consider all relevant proposals, including those reflected in its resolutions on the establishment of nuclear-weapon-free zones in the Middle East and South Asia;

4. *Stresses* the role of nuclear-weapon-free zones in strengthening the nuclear non-proliferation regime and in extending the areas of the world that are nuclear-weapon-free, and, with particular reference to the responsibilities of the nuclear-weapon States, calls upon all States to support the process of nuclear disarmament, with the ultimate goal of eliminating all nuclear weapons;

5. *Calls upon* the States parties and signatories to the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba, in order to pursue the common goals envisaged in those treaties and to promote the nuclear-weapon-free status of the southern hemisphere and adjacent areas, to explore and implement further ways and means of cooperation among themselves and their treaty agencies;

6. *Encourages* the competent authorities of nuclear-weapon-free zone treaties to provide assistance to the States parties and signatories to such treaties so as to facilitate the accomplishment of these goals;

7. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "The nuclear-weapon-free southern hemisphere and adjacent areas".

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[70] Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean.

[71] South Pacific Nuclear Free Zone Treaty.

[72] Treaty on the South-East Asia Nuclear-Weapon-Free Zone.

[73] African Nuclear-Weapon-Free Zone Treaty.

[74] United Nations, *Treaty Series*, vol. 402, No. 5778.

[75] *Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII* (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

O

ADVISORY OPINION OF THE INTERNATIONAL COURT OF JUSTICE ON THE *LEGALITY OF THE THREAT OR USE OF NUCLEAR WEAPONS*

The General Assembly,

Recalling its resolutions 49/75 K of 15 December 1994 and 51/45 M of 10 December 1996,

Convinced that the continuing existence of nuclear weapons poses a threat to all humanity and that their use would have catastrophic consequences for all life on Earth, and recognizing that the only defence against a nuclear catastrophe is the total elimination of nuclear weapons and the certainty that they will never be produced again,

Mindful of the solemn obligations of States parties, undertaken in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons,[28] particularly to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament,

Recalling the principles and objectives for nuclear non-proliferation and disarmament adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[60] and in particular the objective of determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons,

Recalling also the adoption of the Comprehensive Nuclear-Test-Ban Treaty in its resolution 50/245 of 10 September 1996,

Recognizing with satisfaction that the Antarctic Treaty[74] and the treaties of Tlatelolco,[70] Rarotonga,[71] Bangkok[72] and Pelindaba[73] are gradually freeing the entire southern hemisphere and adjacent areas covered by those treaties from nuclear weapons,

Noting the efforts by the States possessing the largest inventories of nuclear weapons to reduce their stockpiles of such weapons through bilateral and unilateral agreements or arrangements, and calling for the intensification of such efforts to accelerate the significant reduction of nuclear-weapon arsenals,

Recognizing the need for a multilaterally negotiated and legally binding instrument to assure non-nuclear-weapon States against the threat or use of nuclear weapons,

Reaffirming the central role of the Conference on Disarmament as the single multilateral disarmament negotiating forum, and regretting the lack of progress in disarmament negotiations, particularly nuclear disarmament, in the Conference on Disarmament during its 1997 session,

Emphasizing the need for the Conference on Disarmament to commence negotiations on a phased programme for the complete elimination of nuclear weapons with a specified framework of time,

Desiring to achieve the objective of a legally binding prohibition of the development, production, testing, deployment, stockpiling, threat or use of nuclear weapons and their destruction under effective international control,

Recalling the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued on 8 July 1996,[61]

1. *Underlines once again* the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control;

2. *Calls once again upon* all States immediately to fulfil that obligation by commencing multilateral negotiations in 1998 leading to an early conclusion of a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination;

3. *Requests* all States to inform the Secretary-General of the efforts and measures they have taken on the implementation of the present resolution and nuclear disarmament, and requests the Secretary-General to apprise the General Assembly of that information at its fifty-third session;

4. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*".

67th plenary meeting
9 December 1997

P

REGIONAL DISARMAMENT

The General Assembly,

Recalling its resolutions 45/58 P of 4 December 1990, 46/36 I of 6 December 1991, 47/52 J of 9 December 1992, 48/75 I of 16 December 1993, 49/75 N of 15 December 1994, 50/70 K of 12 December 1995 and 51/45 K of 10 December 1996 on regional disarmament,

Believing that the efforts of the international community to move towards the ideal of general and complete disarmament are guided by the inherent human desire for genuine peace and security, the elimination of the danger of war and the release of economic, intellectual and other resources for peaceful pursuits,

Affirming the abiding commitment of all States to the purposes and principles enshrined in the Charter of the United Nations in the conduct of their international relations, *Noting* that essential guidelines for progress towards general and complete disarmament were adopted at the tenth special session of the General Assembly,[33]

Taking note of the guidelines and recommendations for regional approaches to disarmament within the context of global security adopted by the Disarmament Commission at its 1993 substantive session,[76]

Welcoming the prospects of genuine progress in the field of disarmament engendered in recent years as a result of negotiations between the two super-Powers,

Taking note of the recent proposals for disarmament at the regional and subregional levels,

Recognizing the importance of confidence-building measures for regional and international peace and security,

Convinced that endeavours by countries to promote regional disarmament, taking into account the specific characteristics of each region and in accordance with the principle of undiminished security at the lowest level of armaments, would enhance the security of all States and would thus contribute to international peace and security by reducing the risk of regional conflicts,

1. *Stresses* that sustained efforts are needed, within the framework of the Conference on Disarmament and under the umbrella of the United Nations, to make progress on the entire range of disarmament issues;

2. *Affirms* that global and regional approaches to disarmament complement each other and should therefore be pursued simultaneously to promote regional and international peace and security;

3. *Calls upon* States to conclude agreements, wherever possible, for nuclear non-proliferation, disarmament and confidence-building measures at the regional and subregional levels;

4. *Welcomes* the initiatives towards disarmament, nuclear non-proliferation and security undertaken by some countries at the regional and subregional levels;

5. *Supports and encourages* efforts aimed at promoting confidence-building measures at the regional and subregional levels in order to ease regional tensions and to further disarmament and nuclear non-proliferation measures at the regional and subregional levels;

6. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Regional disarmament".

67th plenary meeting
9 December 1997

Q

CONVENTIONAL ARMS CONTROL AT THE REGIONAL AND SUBREGIONAL LEVELS

The General Assembly,

Recalling its resolutions 48/75 J of 16 December 1993, 49/75 O of 15 December 1994, 50/70 L of 12 December 1995 and 51/45 Q of 10 December 1996,

Recognizing the crucial role of conventional arms control in promoting regional and international peace and security,

Convinced that conventional arms control needs to be pursued primarily in the regional and subregional contexts since most threats to peace and security in the post-cold-war era arise mainly among States located in the same region or subregion,

Aware that the preservation of a balance in the defence capabilities of States at the lowest level of armaments would contribute to peace and stability and should be a prime objective of conventional arms control,

Desirous of promoting agreements to strengthen regional peace and security at the lowest possible level of armaments and military forces,

Noting with particular interest the initiatives taken in this regard in different regions of the world, in particular the commencement of consultations among a number of Latin American countries and the proposals for conventional arms control made in the context of South Asia, and recognizing, in the context of this subject, the relevance and value of the Treaty on Conventional Armed Forces in Europe,[77] which is a cornerstone of European security,

Believing that militarily significant States and States with larger military capabilities have a special responsibility in promoting such agreements for regional security,

Believing also that an important objective of conventional arms control in regions of tension should be to prevent the possibility of military attack launched by surprise and to avoid aggression,

1. *Decides* to give urgent consideration to the issues involved in conventional arms control at the regional and subregional levels;

2. *Requests* the Conference on Disarmament, as a first step, to consider the formulation of principles that can serve as a framework for regional agreements on conventional arms control, and looks forward to a report of the Conference on this subject;

3. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Conventional arms control at the regional and subregional levels".

67th plenary meeting
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[76] *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 42* (A/48/42), annex II.

[77] CD/1064.

R

TRANSPARENCY IN ARMAMENTS

The General Assembly,

Recalling its resolutions 46/36 L of 9 December 1991, 47/52 L of 15 December 1992, 48/75 E of 16 December 1993, 49/75 C of 15 December 1994, 50/70 D of 12 December 1995 and 51/45 H of 10 December 1996,

Continuing to take the view that an enhanced level of transparency in armaments contributes greatly to confidence-building and security among States and that the establishment of the United Nations Register of Conventional Arms[27] constitutes an important step forward in the promotion of transparency in military matters,

Welcoming the consolidated report of the Secretary-General on the Register,[78] which includes the returns of Member States for 1996,

Welcoming also the response of Member States to the request contained in paragraphs 9 and 10 of resolution 46/36 L to provide data on their imports and exports of arms, as well as available background information regarding their military holdings, procurement through national production and relevant policies,

Welcoming further the report of the Secretary-General on the continuing operation of the Register and its further development,[79]

Stressing that the continuing operation of the Register and its further development should be reviewed in order to secure a Register that is capable of attracting the widest possible participation,

1. *Reaffirms its determination* to ensure the effective operation of the United Nations Register of Conventional Arms[27] as provided for in paragraphs 7 to 10 of resolution 46/36 L;

2. *Takes note* of the report of the Secretary-General on the continuing operation of the Register and its further development,[79] and endorses the recommendations contained therein;

3. *Calls upon* Member States, with a view to achieving universal participation, to provide the Secretary-General by 31 May annually with the requested data and information for the Register, including nil reports if appropriate, on the basis of resolutions 46/36 L and 47/52 L and the recommendations contained in paragraph 64 of the 1997 report of the Secretary-General on the continuing operation of the Register and its further development;[79]

4. *Invites* Member States in a position to do so, pending further development of the Register, to provide additional information on procurement from national production and military holdings and to make use of the "Remarks" column in the standardized reporting form to provide additional information such as types or models;

5. *Decides*, with a view to further development of the Register, to keep the scope of and participation in the Register under review, and to that end:

(*a*) Requests Member States to provide the Secretary-General with their views on the continuing operation of the Register and its further development and on transparency measures related to weapons of mass destruction;

(*b*) Requests the Secretary-General, with the assistance of a group of governmental experts to be convened in the year 2000 on the basis of equitable geographical representation, to prepare a report on the continuing operation of the Register and its further development, taking into account the work of the Conference on Disarmament, the views expressed by Member States and his reports on the continuing operation of the Register and its further development,[80] with a view to a decision at its fifty-fifth session;

6. *Requests* the Secretary-General to implement the recommendations within his competence contained in his 1997 report on the continuing operation of the Register and its further development and to ensure that sufficient resources are made available for the Secretariat to operate and maintain the Register;

7. *Invites* the Conference on Disarmament to consider continuing its work undertaken in the field of transparency in armaments;

8. *Reiterates its call upon* all Member States to cooperate at the regional and subregional levels, taking fully into account the specific conditions prevailing in the region or subregion, with a view to enhancing and coordinating international efforts aimed at increased openness and transparency in armaments;

9. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on progress made in implementing the present resolution;

10. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Transparency in armaments".

67th plenary meeting
9 December 1997

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[78] A/52/312 and Corr.1 and 2 and Add.1 and 2.

[79] A/52/316.

[80] A/49/316 and A/52/316.

S

ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE IN CENTRAL ASIA

The General Assembly,

Emphasizing the importance of internationally recognized agreements on the establishment of nuclear-weapon-free zones in various regions of the world,

Recalling paragraphs 60, 61, 62 and 64 of the Final Document of the Tenth Special Session of the General Assembly,[33] the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons[28] and paragraphs 5 and 6 of the decision entitled "Principles and objectives for nuclear non-proliferation and disarmament" in the Final Document of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[60] concerning the establishment of nuclear-weapon-free zones,

Recalling also the Almaty Declaration of the heads of State of the Central Asian States of 28 February 1997[81] and the statement issued at Tashkent on 15 September 1997 by the Ministers for Foreign Affairs of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan on the establishment of a nuclear-weapon-free zone in Central Asia,[82]

Reaffirming the generally recognized role of the United Nations in promoting the establishment of nuclear-weapon-free zones,

Convinced that the establishment of nuclear-weapon-free zones in various regions of the world can contribute to the achievement of general and complete disarmament,

Believing that the establishment of nuclear-weapon-free zones in various regions, including Central Asia, will help to strengthen peace and stability at both the regional and the global levels and is in the interest of the security of the States in the Central Asian region,

Welcoming the offer of Kyrgyzstan to hold a consultative meeting of experts on the establishment of a nuclear-weapon-free zone in Central Asia at Bishkek in 1998,

1. *Calls upon* all States to support the initiative aimed at the establishment of a nuclear-weapon-free zone in Central Asia;

2. *Requests* the Secretary-General, within existing resources, to provide assistance to the Central Asian countries in the preparation of the form and elements of an agreement on the establishment of a nuclear-weapon-free zone in Central Asia;

3. *Decides* to consider the question of the establishment of a nuclear-weapon-free zone in Central Asia at its fifty-third session under the agenda item entitled "General and complete disarmament".

67th plenary meeting
9 December 1997

T

STATUS OF THE CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION, STOCKPILING AND USE OF CHEMICAL WEAPONS AND ON THEIR DESTRUCTION

The General Assembly,

Recalling its previous resolutions on the subject of chemical and bacteriological (biological) weapons, in particular resolution 51/45 T of 10 December 1996, adopted without a vote,

Determined to achieve the effective prohibition of the development, production, acquisition, transfer, stockpiling and use of chemical weapons and their destruction,

1. *Welcomes* the fact that the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction[29] entered into force on 29 April 1997 with eighty-seven original States parties as well as the fact that seventeen States have subsequently become States parties to the Convention;

2. *Notes with satisfaction* that the First Conference of States Parties held at The Hague in the Kingdom of the Netherlands from 6 to 23 May 1997 successfully launched the Organization for the Prohibition of Chemical Weapons with Ambassador Jose M. Bustani of Brazil as the first Director-General;

3. *Emphasizes* the necessity of universal adherence to the Convention, and calls upon all States that have not yet done so to become States parties to the Convention without delay;

4. *Stresses* the vital importance of full and effective implementation of, and compliance with, all provisions of the Convention;

5. *Notes with satisfaction* that the Organization for the Prohibition of Chemical Weapons has quickly initiated verification activities, including the processing of declarations of States parties and the conducting of inspections of chemical weapons-related and other declared facilities as required by the Convention, and underlines the importance of the early initiation of activities under all relevant provisions of the Convention by the Organization for the Prohibition of Chemical Weapons;

6. *Stresses* the importance to the Convention that all possessors of chemical weapons, chemical weapons production facilities or chemical weapons development facilities, including previously declared possessor States, should be among the States parties to the Convention, and welcomes recent progress to that end;

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[81] A/52/112, annex.

[82] A/52/390, annex.

7. *Urges* all States parties to the Convention to meet in full their obligations under the Convention and to support the Organization for the Prohibition of Chemical Weapons in its implementation activities;

8. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction".

67th plenary meeting
9 December 1997

52/39. Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly

A

UNITED NATIONS REGIONAL CENTRE FOR PEACE AND DISARMAMENT IN ASIA AND THE PACIFIC

The General Assembly,

Recalling its resolutions 42/39 D of 30 November 1987 and 44/117 F of 15 December 1989, by which it established the United Nations Regional Centre for Peace and Disarmament in Asia and renamed it the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific, with headquarters at Kathmandu and with the mandate of providing, on request, substantive support for the initiatives and other activities mutually agreed upon by the Member States of the Asia-Pacific region for the implementation of measures for peace and disarmament, through appropriate utilization of available resources,

Welcoming the report of the Secretary-General,[83] in which he expresses his belief that the mandate of the Regional Centre remains valid and that the Centre could be a useful instrument for fostering a climate of cooperation in the post-cold-war era,

Commending the useful activities carried out by the Regional Centre in encouraging regional and subregional dialogue for the enhancement of openness, transparency and confidence-building, as well as the promotion of disarmament and security through the organization of regional meetings, which has come to be widely known within the Asia-Pacific region as the "Kathmandu process",

Noting that trends in the post-cold-war era have emphasized the function of the Regional Centre in assisting Member States as they deal with new security concerns and disarmament issues emerging in the region,

Recognizing the need for the Regional Centre to pursue effectively its expanded function,

Expressing its appreciation to the Regional Centre for its organization of substantive regional meetings at Kathmandu and at Sapporo, Japan, in 1997,

Appreciating highly the important role Nepal has played as the host nation of the headquarters of the Regional Centre,

1. *Reaffirms* its resolution 50/71 D of 12 December 1995, in particular its strong support for the continued operation and further strengthening of the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific as an essential promoter of the regional peace and disarmament dialogue in the Asia-Pacific region known as the "Kathmandu process";

2. *Welcomes* the fact that 1998 will mark the tenth anniversary of the Kathmandu process;

3. *Expresses its appreciation* for the continued political support and financial contribution received by the Regional Centre;

4. *Appeals* to Member States, in particular those within the Asia-Pacific region, as well as to international governmental and non-governmental organizations and foundations, to make voluntary contributions so as to strengthen the programme of activities of the Regional Centre and its implementation;

5. *Requests* the Secretary-General to provide all necessary support, within existing resources, to the Regional Centre in carrying out its programme of activities;

6. *Also requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution;

7. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific".

67th plenary meeting
9 December 1997

B

REGIONAL CONFIDENCE-BUILDING MEASURES

The General Assembly,

Recalling the purposes and principles of the United Nations and its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations,

Bearing in mind the guidelines for general and complete disarmament adopted at its tenth special session, the first special session devoted to disarmament,

Recalling its resolutions 43/78 H and 43/85 of 7 December 1988, 44/21 of 15 November 1989, 45/58 M of 4 December 1990, 46/37 B of 6 December 1991, 47/53 F of 15 December 1992, 48/76 A of 16 December 1993, 49/76 C of 15

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[83] A/52/309 and Corr.1.

December 1994, 50/71 B of 12 December 1995 and 51/46 C of 10 December 1996,

Considering the importance and effectiveness of confidence-building measures taken at the initiative and with the participation of all States concerned, and taking into account the specific characteristics of each region, since such measures can contribute to regional disarmament and to international security, in accordance with the principles of the Charter,

Convinced that the resources released by disarmament, including regional disarmament, can be devoted to economic and social development and to the protection of the environment for the benefit of all peoples, in particular those of the developing countries,

Convinced also that development can be achieved only in a climate of peace, security and mutual confidence both within and among States,

Bearing in mind the establishment by the Secretary-General on 28 May 1992 of the United Nations Standing Advisory Committee on Security Questions in Central Africa, the purpose of which is to encourage arms limitation, disarmament, non-proliferation and development in the subregion,

Recalling the Brazzaville Declaration on Cooperation for Peace and Security in Central Africa,[84]

1. *Takes note* of the report of the Secretary-General on regional confidence-building measures,[85] which deals with the activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa in the period since the adoption by the General Assembly of resolution 51/46 C;

2. *Reaffirms its support* for efforts aimed at promoting confidence-building measures at regional and subregional levels in order to ease tensions and conflicts in the subregion and to further disarmament, non-proliferation and the peaceful settlement of disputes in Central Africa;

3. *Also reaffirms its support* for the programme of work of the Standing Advisory Committee adopted at the organizational meeting of the Committee held at Yaoundé in July 1992;

4. *Invites* the States members of the Standing Advisory Committee that have not yet signed the Non-Aggression Pact to do so, and encourages all member States to expedite ratification, being convinced that the entry into force of the Pact will effectively contribute to the prevention of conflicts in the Central African subregion;

5. *Welcomes with satisfaction* the programmes and activities of the Standing Advisory Committee for the period 1997-1998, adopted by the member States during the ninth ministerial meeting held at Libreville from 7 to 11 July 1997,[86] which are designed:

(*a*) To set up and render operational at the earliest opportunity and on the basis of voluntary contributions an early warning system for Central Africa;

(*b*) To launch programmes designed to retrain demobilized soldiers and prepare them for reintegration into civilian life;

(*c*) To combat the illegal circulation of weapons and drugs in the subregion;

(*d*) To organize training seminars so as to strengthen the capacity of the Central African States to participate more actively in peacekeeping operations organized under the auspices of the United Nations and the Organization of African Unity;

(*e*) To organize joint military exercises to simulate the conduct of standard peacekeeping operations;

(*f*) To organize, for members of the armed forces and security forces of the Central African States, seminars and awareness programmes relating to the conduct of public affairs, the rule of law and respect for human rights;

(*g*) To hold a subregional conference on the topic "Democratic institutions and peace in Central Africa";

(*h*) To revert to the holding of two annual meetings of the Standing Advisory Committee at the ministerial level in order to further consultations among the member States;

6. *Expresses its conviction* that the full implementation of those measures and activities will contribute to the promotion of confidence among the member States, the establishment of democracy and good governance and the consolidation of peace in the Central African subregion;

7. *Welcomes* the participation, at the invitation of the Government of Gabon, of representatives of the States permanent members of the Security Council in the ninth ministerial meeting of the Standing Advisory Committee, and invites the Secretary-General to facilitate the pursuit of this type of dialogue, which is likely to strengthen cooperation between the Council and the countries concerned with a view to contributing to the peaceful settlement of conflicts in Central Africa, whenever the States members of the Committee so request;

8. *Thanks* the Secretary-General for having established the Trust Fund for the United Nations Standing Advisory Committee on Security Questions in Central Africa;

9. *Appeals* to Member States and to governmental and non-governmental organizations to make additional voluntary contributions to the Trust Fund for the implementation of the

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[84] A/50/474, annex I.

[85] A/52/293.

[86] See A/52/283-S/1997/644, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for July, August and September 1997*, document S/1997/644.

programme of work of the Standing Advisory Committee, in particular the measures and objectives referred to in paragraph 5 above;

10. *Requests* the Secretary-General to continue to provide assistance to the States members of the Standing Advisory Committee to ensure that they are able to carry on with their efforts, being convinced that effective cooperation between the international community and the countries of the subregion can stimulate the search for peaceful solutions to the crises and conflicts that occur in the subregion;

11. *Also requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report on the implementation of the present resolution;

12. *Decides* to include in the provisional agenda of its fifty-third session an item entitled "Regional confidence-building measures: activities of the United Nations Standing Advisory Committee on Security Questions in Central Africa".

67th plenary meeting
9 December 1997

C

CONVENTION ON THE PROHIBITION OF THE USE OF NUCLEAR WEAPONS

The General Assembly,

Convinced that the use of nuclear weapons poses the most serious threat to the survival of mankind,

Bearing in mind the advisory opinion of the International Court of Justice of 8 July 1996 on the *Legality of the Threat or Use of Nuclear Weapons*,[87]

Convinced that a multilateral, universal and binding agreement prohibiting the use or threat of use of nuclear weapons would contribute to the elimination of the nuclear threat and to the climate for negotiations leading to the ultimate elimination of nuclear weapons, thereby strengthening international peace and security,

Conscious that some steps taken by the Russian Federation and the United States of America towards a reduction of their nuclear weapons and the improvement in the international climate can contribute towards the goal of the complete elimination of nuclear weapons,

Recalling that, in paragraph 58 of the Final Document of the Tenth Special Session of the General Assembly,[88] it is stated that all States should actively participate in efforts to bring about conditions in international relations among States in which a code of peaceful conduct of nations in international affairs could be agreed upon and that would preclude the use or threat of use of nuclear weapons,

Reaffirming that any use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity, as declared in its resolutions 1653 (XVI) of 24 November 1961, 33/71 B of 14 December 1978, 34/83 G of 11 December 1979, 35/152 D of 12 December 1980 and 36/92 I of 9 December 1981,

Determined to achieve a universal nuclear weapons convention prohibiting the development, production, stockpiling and use of nuclear weapons, leading to their ultimate destruction,

Stressing that an international convention on the prohibition of the use of nuclear weapons would be an important step in a phased programme towards the complete elimination of nuclear weapons within a time-bound framework,

Noting with regret that the Conference on Disarmament, during its 1997 session, was unable to undertake negotiations on this subject as called for in General Assembly resolution 51/46 D of 10 December 1996,

1. *Reiterates its request* to the Conference on Disarmament to commence negotiations, in order to reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances, taking as a possible basis the draft Convention on the Prohibition of the Use of Nuclear Weapons contained in the annex to the present resolution;

2. *Requests* the Conference on Disarmament to report to the General Assembly on the results of those negotiations.

67th plenary meeting
9 December 1997

ANNEX

Draft Convention on the Prohibition of the Use of Nuclear Weapons

The States Parties to the present Convention,

Alarmed by the threat to the very survival of mankind posed by the existence of nuclear weapons,

Convinced that any use of nuclear weapons constitutes a violation of the Charter of the United Nations and a crime against humanity,

Desiring to achieve a multilateral, universal and binding agreement prohibiting the use or threat of use of nuclear weapons,

Bearing in mind the advisory opinion of the International Court of Justice that there exists an obligation of all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

Determined, therefore, to achieve a universal nuclear weapons convention prohibiting the development, production, stockpiling and use of nuclear weapons, leading to their ultimate destruction,

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[87] A/51/218, annex.

[88] Resolution S-10/2.

Convinced that the present Convention would be an important step in a phased programme towards the complete elimination of nuclear weapons within a time-bound framework,

Determined to continue negotiations for the achievement of this goal,

Have agreed as follows:

Article 1

The States Parties to the present Convention solemnly undertake not to use or threaten to use nuclear weapons under any circumstances.

Article 2

The present Convention shall be of unlimited duration.

Article 3

1. The present Convention shall be open to all States for signature. Any State that does not sign the Convention before its entry into force in accordance with paragraph 3 of the present article may accede to it at any time.

2. The present Convention shall be subject to ratification by signatory States. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

3. The present Convention shall enter into force on the deposit of instruments of ratification by twenty-five Governments, including the Governments of the five nuclear-weapon States, in accordance with paragraph 2 of the present article.

4. For States whose instruments of ratification or accession are deposited after the entry into force of the Convention, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The depositary shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession and the date of entry into force of the present Convention, as well as of the receipt of other notices.

6. The present Convention shall be registered by the depositary in accordance with Article 102 of the Charter of the United Nations.

Article 4

The present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send duly certified copies thereof to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed the present Convention, opened for signature at _____ _____ on the __________ day of ____________ one thousand nine hundred and __________ .

D

UNITED NATIONS DISARMAMENT INFORMATION PROGRAMME

The General Assembly,

Recalling its decision taken in 1982 at its twelfth special session, the second special session devoted to disarmament, by which the World Disarmament Campaign was launched,[89]

Recalling also its resolution 51/46 A of 10 December 1996,

Stressing the importance of informing, educating and generating public understanding of the importance of and support for multilateral action, including action by the United Nations and the Conference on Disarmament, in the field of arms limitation and disarmament, in a factual, balanced and objective manner,

Noting the delay in the publication of the 1996 edition of *The United Nations Disarmament Yearbook*,

1. *Expresses its concern* at the continuing decrease in contributions to the United Nations Disarmament Information Programme;

2. *Invites* the Secretary-General to continue to support the timely publication and distribution of *The United Nations Disarmament Yearbook*.

67th plenary meeting
9 December 1997

52/40. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session

A

REPORT OF THE CONFERENCE ON DISARMAMENT

The General Assembly,

Having considered the report of the Conference on Disarmament,[90]

Convinced that the Conference on Disarmament, as the single multilateral disarmament negotiating forum of the international community, has the primary role in substantive negotiations on priority questions of disarmament,

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[89] See *Official Records of the General Assembly, Twelfth Special Session, Plenary Meetings*, 1st meeting, paras. 110 and 111.

[90] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 27* (A/52/27).

Considering, in this respect, that the present international climate should give additional impetus to multilateral negotiations with the aim of reaching concrete agreements,

Recognizing that the Conference on Disarmament has a number of urgent and important issues for negotiations,

1. *Reaffirms* the role of the Conference on Disarmament as the single multilateral disarmament negotiating forum of the international community;

2. *Welcomes* the determination of the Conference on Disarmament to fulfil that role in the light of the evolving international situation, with a view to making early substantive progress on priority items of its agenda;

3. *Also welcomes* the desire of the Conference on Disarmament to promote substantive progress during its 1998 session, and expresses the hope that appropriate consultations during the inter-sessional period could lead to the commencement of early work on various agenda items;

4. *Encourages* the Conference on Disarmament to continue the further review of its membership;

5. *Also encourages* the Conference on Disarmament to intensify further the ongoing review of its agenda and methods of work;

6. *Requests* the Secretary-General to continue to ensure the provision to the Conference on Disarmament of adequate administrative, substantive and conference support services;

7. *Requests* the Conference on Disarmament to submit a report on its work to the General Assembly at its fifty-third session;

8. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Report of the Conference on Disarmament".

67th plenary meeting
9 December 1997

B

REPORT OF THE DISARMAMENT COMMISSION

The General Assembly,

Having considered the report of the Disarmament Commission,[91]

Recalling its resolutions 47/54 A of 9 December 1992, 47/54 G of 8 April 1993, 48/77 A of 16 December 1993, 49/77 A of 15 December 1994, 50/72 D of 12 December 1995 and 51/47 B of 10 December 1996,

Considering the role that the Disarmament Commission has been called upon to play and the contribution that it should make in examining and submitting recommendations on various problems in the field of disarmament and in the promotion of the implementation of the relevant decisions adopted by the General Assembly at its tenth special session,

1. *Takes note* of the report of the Disarmament Commission;[91]

2. *Reaffirms* the importance of further enhancing the dialogue and cooperation among the First Committee, the Disarmament Commission and the Conference on Disarmament;

3. *Also reaffirms* the role of the Disarmament Commission as the specialized, deliberative body within the United Nations multilateral disarmament machinery that allows for in-depth deliberations on specific disarmament issues, leading to the submission of concrete recommendations on those issues;

4. *Encourages* the Disarmament Commission to continue to make every effort to enhance its working methods so as to enable it to give focused consideration to a limited number of priority issues in the field of disarmament, bearing in mind the decision it has taken to move its agenda towards a three-item phased approach;

5. *Requests* the Disarmament Commission to continue its work in accordance with its mandate, as set forth in paragraph 118 of the Final Document of the Tenth Special Session of the General Assembly,[92] and with paragraph 3 of Assembly resolution 37/78 H of 9 December 1982, and to that end to make every effort to achieve specific recommendations on the items of its agenda, taking into account the adopted "Ways and means to enhance the functioning of the Disarmament Commission";[93]

6. *Welcomes* the fact that, pursuant to the adopted three-item phased approach, the Disarmament Commission, at its 1997 organizational session, adopted the following items for consideration at its 1998 substantive session:

(*a*) The establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned;

(*b*) The fourth special session of the General Assembly devoted to disarmament;

(*c*) Guidelines on conventional arms control/limitation and disarmament, with particular emphasis on consolidation of peace in the context of General Assembly resolution 51/45 N of 10 December 1996;

7. *Requests* the Disarmament Commission to meet for a period not exceeding four weeks during 1998 and to submit

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[91] Ibid., *Supplement No. 42* (A/52/42).

[92] Resolution S-10/2.

[93] A/CN.10/137.

a substantive report to the General Assembly at its fifty-third session;

8. *Requests* the Secretary-General to transmit to the Disarmament Commission the annual report of the Conference on Disarmament,[90] together with all the official records of the fifty-second session of the General Assembly relating to disarmament matters, and to render all assistance that the Commission may require for implementing the present resolution;

9. *Also requests* the Secretary-General to ensure full provision to the Disarmament Commission and its subsidiary bodies of interpretation and translation facilities in the official languages and to assign, as a matter of priority, all the necessary resources and services, including verbatim records, to that end;

10. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Report of the Disarmament Commission".

67th plenary meeting
9 December 1997

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ROLE OF THE UNITED NATIONS IN DISARMAMENT

The General Assembly,

Reaffirming that the United Nations has a central role and primary responsibility in the field of disarmament,

Recalling in this regard the various resolutions and decisions adopted by the General Assembly, in particular the principles and priorities established by consensus in the Declaration and the Programme of Action contained in the Final Document of the Tenth Special Session of the General Assembly,[92] the first special session devoted to disarmament, which define the role of the United Nations and form the basis for the existing disarmament machinery, in the context of the implementation of the responsibilities of the Organization under the Charter of the United Nations,

Reaffirming the importance of the Conference on Disarmament as the single multilateral disarmament negotiating forum, in conformity with paragraph 120 of the Final Document of the Tenth Special Session of the General Assembly,

1. *Affirms* the vision of promoting international peace and security set out in the Charter of the United Nations and its provisions concerning the non-use of force and the threat of force;

2. *Underlines* the necessity of furthering the objectives of promoting disarmament and regulating armaments set out in the Charter, on the basis of negotiations reflecting the security interests of all States;

3. *Reiterates* that the adoption and implementation of disarmament measures should take place in such an equitable and balanced manner as to ensure the right of each State to security and to ensure that no individual State or group of States may obtain advantage over others;

4. *Affirms* its support for the objectives of nuclear and conventional disarmament, as set out in the Final Document of the Tenth Special Session of the General Assembly,[92] the first special session devoted to disarmament;

5. *Reiterates* that nuclear disarmament has the highest priority in efforts to advance disarmament on a universal basis;

6. *Reaffirms* its support for the United Nations machinery on disarmament, which is functioning pursuant to the decisions adopted at the tenth special session of the General Assembly;

7. *Also reaffirms* that the Conference on Disarmament is the sole multilateral negotiating body on disarmament;

8. *Affirms* that the implementation of international treaties dealing with disarmament should be carried out in accordance with the provisions of those treaties and that questions regarding compliance should be addressed in accordance with those provisions and the mechanisms established or envisaged in those provisions;

9. *Also affirms* that the Secretariat should support the realization of the objectives of disarmament, as set out in the Final Document of the Tenth Special Session of the General Assembly, which was adopted by consensus.

67th plenary meeting
9 December 1997

52/41. The risk of nuclear proliferation in the Middle East

The General Assembly,

Bearing in mind its relevant resolutions,

Taking note of the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency, the latest of which is resolution GC(41)/RES/25, adopted on 3 October 1997,

Cognizant that the proliferation of nuclear weapons in the region of the Middle East would pose a serious threat to international peace and security,

Mindful of the immediate need to place all nuclear facilities in the region of the Middle East under full-scope safeguards of the International Atomic Energy Agency,

Recalling the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995,[94] in which the Conference noted with concern the continued existence in the Middle East of unsafeguarded nuclear facilities, reaffirmed the importance of the early realization of universal adherence to the Treaty,[95] and called upon all States in the Middle East that had not yet done so, without exception, to accede to the Treaty as soon as possible and to place all their nuclear facilities under full-scope International Atomic Energy Agency safeguards,

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[94] See *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I)), annex.

Recalling also the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995,[94] in which the Conference urged universal adherence to the Treaty as an urgent priority and called upon all States not yet party to the Treaty to accede to it at the earliest date, in particular those States which operate unsafeguarded nuclear facilities,

Noting that, since the adoption of General Assembly resolution 51/48 of 10 December 1996, Israel remains the only State in the Middle East that has not yet become party to the Treaty on the Non-Proliferation of Nuclear Weapons,

Concerned over the threats posed by the proliferation of nuclear weapons to the security and stability of the region of the Middle East,

Stressing the importance of undertaking confidence-building measures, in particular the establishment of a nuclear-weapon-free zone in the Middle East, in order to enhance peace and security in the region and to consolidate the global non-proliferation regime,

Noting the adoption of the Comprehensive Nuclear-Test-Ban Treaty[96] and its signature by one hundred and forty-nine States, including a number of States in the region,

1. *Calls upon* the only State in the region of the Middle East that is not party to the Treaty on the Non-Proliferation of Nuclear Weapons[95] to accede to it without further delay, and not to develop, produce, test or otherwise acquire nuclear weapons and to renounce possession of nuclear weapons, and to place all its unsafeguarded nuclear facilities under full-scope International Atomic Energy Agency safeguards as an important confidence-building measure among all States of the region and as a step towards enhancing peace and security;

2. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution;

3. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "The risk of nuclear proliferation in the Middle East".

67th plenary meeting
9 December 1997

52/42. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

The General Assembly,

Recalling its resolution 51/49 of 10 December 1996 and previous resolutions referring to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,[97]

Recalling with satisfaction the adoption, on 10 October 1980, of the Convention, together with the Protocol on Non-Detectable Fragments (Protocol I),[97] the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II)[97] and the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III),[97] which entered into force on 2 December 1983,

Also recalling with satisfaction the adoption by the Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, on 13 October 1995 of the Protocol on Blinding Laser Weapons (Protocol IV),[98] and on 3 May 1996 of the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II),[99]

Recalling the role played by the International Committee of the Red Cross in the elaboration of the Convention and the Procotols thereto,

Noting that, in conformity with article 8 of the Convention, conferences may be convened to examine amendments to the Convention or to any of the Protocols thereto, to examine additional protocols concerning other categories of conventional weapons not covered by existing Protocols or to review the scope and application of the Convention and the Protocols annexed thereto and to examine any proposed amendments or additional protocols, and welcoming the decision adopted by the Review Conference in its Final Declaration[100] on 3 May 1996 to convene a Review Conference no later than the year 2001,

1. *Welcomes* the additional ratifications and acceptances of or accessions[101] to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,[97] as well as the ratifications and acceptances of or accessions[101] to

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[95] United Nations, *Treaty Series*, vol. 729, No. 10485.

[96] See resolution 50/245.

[97] See *The United Nations Disarmament Yearbook*, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

[98] CCW/CONF.I/16 (Part I), annex A.

[99] Ibid., annex B.

[100] Ibid., annex C.

[101] See A/52/227 and Corr.1 and 2.

the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II);[99]

2. *Urgently calls upon* all States that have not yet done so to take all measures to become parties, as soon as possible, to the Convention and the Protocols thereto, and in particular to amended Protocol II, with a view to achieving the widest possible adherence to this instrument at an early date, and calls upon successor States to take appropriate measures so that ultimately adherence to these instruments will be universal;

3. *Calls, in particular, upon* the States parties to the Convention to express their consent to be bound by the amended Protocol II with a view to its entry into force as soon as possible, and, pending its entry into force, to respect and ensure respect for its substantive provisions to the fullest extent possible;

4. *Commends* the Protocol on Blinding Laser Weapons (Protocol IV)[98] to all States, with a view to achieving the widest possible adherence to this instrument at an early date and calls, in particular, upon the States parties to express their consent to be bound by the Protocol with a view to its entry into force as soon as possible;

5. *Calls upon* the Secretary-General, in his capacity as depositary of the Convention and the Protocols annexed thereto, to continue to inform it periodically of ratifications and acceptances of and accessions to the Convention and the Protocols, and decides to include in the provisional agenda of its fifty-third session the item entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects".

67th plenary meeting
9 December 1997

52/43. Strengthening of security and cooperation in the Mediterranean region

The General Assembly,

Recalling its previous resolutions on the subject, including resolution 51/50 of 10 December 1996,

Reaffirming the primary role of the Mediterranean countries in strengthening and promoting peace, security and cooperation in the Mediterranean region,

Bearing in mind all the previous declarations and commitments, as well as all the initiatives taken by the riparian countries at the recent summits, ministerial meetings and various forums concerning the question of the Mediterranean region,

Recognizing the indivisible character of security in the Mediterranean and that the enhancement of cooperation among Mediterranean countries with a view to promoting the economic and social development of all peoples of the region will contribute significantly to stability, peace and security in the region,

Recognizing also the efforts made so far and the determination of the Mediterranean countries to intensify the process of dialogue and consultations with a view to resolving the problems existing in the Mediterranean region and to eliminating the causes of tension and the consequent threat to peace and security, and their growing awareness of the need for further joint efforts to strengthen economic, social, cultural and environmental cooperation in the region,

Recognizing further that prospects for closer Euro-Mediterranean cooperation in all spheres can be enhanced by positive developments worldwide, in particular in Europe, in the Maghreb and in the Middle East,

Reaffirming the responsibility of all States to contribute to the stability and prosperity of the Mediterranean region and their commitment to respect the purposes and principles of the Charter of the United Nations, as well as the provisions of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[102]

Noting the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

Expressing its concern at the persistent tension and continuing military activities in parts of the Mediterranean that hinder efforts to strengthen security and cooperation in the region,

Taking note of the report of the Secretary-General,[103]

1. *Reaffirms* that security in the Mediterranean is closely linked to European security as well as to international peace and security;

2. *Expresses its satisfaction* at the continuing efforts by Mediterranean countries to contribute actively to the elimination of all causes of tension in the region and to the promotion of just and lasting solutions to the persistent problems of the region through peaceful means, thus ensuring the withdrawal of foreign forces of occupation and respecting the sovereignty, independence and territorial integrity of all countries of the Mediterranean and the right of peoples to self-determination, and therefore calls for full adherence to the principles of non-interference, non-intervention, non-use of force or threat of use of force and the inadmissibility of the acquisition of territory by force, in accordance with the Charter and the relevant resolutions of the United Nations;

3. *Commends* the efforts by the Mediterranean countries in meeting common challenges through coordinated overall responses, based on a spirit of multilateral partnership, towards the general objective of turning the Mediterranean basin into an area of dialogue, exchanges and cooperation, guaranteeing peace, stability and prosperity, and encourages

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[102] Resolution 2625 (XXV), annex.

[103] A/52/427 and Corr.1.

them to strengthen such efforts through, *inter alia*, a lasting multilateral and action-oriented cooperative dialogue among States of the region;

4. *Recognizes* that the elimination of the economic and social disparities in levels of development and other obstacles, as well as respect and greater understanding among cultures, in the Mediterranean area will contribute to enhancing peace, security and cooperation among Mediterranean countries through the existing forums;

5. *Calls upon* all States of the Mediterranean region that have not yet done so to adhere to all the multilaterally negotiated legal instruments related to the field of disarmament and non-proliferation, thus creating the necessary conditions for strengthening peace and cooperation in the region;

6. *Encourages* all States of the region to favour the necessary conditions for strengthening the confidence-building measures among them by promoting genuine openness and transparency on all military matters, by participating, *inter alia*, in the United Nations system for the standardized reporting of military expenditures and by providing accurate data and information to the United Nations Register of Conventional Arms;[104]

7. *Encourages* the Mediterranean countries to strengthen further their cooperation in combating terrorism, in all its forms and manifestations, which poses a serious threat to peace, security and stability in the region and therefore to the improvement of the current political, economic and social situation;

8. *Invites* all States of the region to address, through various forms of cooperation, problems and threats posed to the region, such as terrorism, international crime and illicit arms transfers, as well as illicit drug production, consumption and trafficking, which jeopardize the friendly relations among States, hinder the development of international cooperation and result in the destruction of human rights, fundamental freedoms and the democratic basis of pluralistic society;

9. *Requests* the Secretary-General to submit a report on means to strengthen security and cooperation in the Mediterranean region;

10. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Strengthening of security and cooperation in the Mediterranean region".

67th plenary meeting
9 December 1997

52/44. Implementation of the Declaration of the Indian Ocean as a Zone of Peace

The General Assembly,

Recalling the Declaration of the Indian Ocean as a Zone of Peace, contained in its resolution 2832 (XXVI) of 16 December 1971, and recalling also its resolution 51/51 of 10 December 1996 and other relevant resolutions,

Recalling also the report of the Meeting of the Littoral and Hinterland States of the Indian Ocean held in July 1979,[105]

Recalling further paragraph 72 of the final document adopted by the Twelfth Ministerial Conference of the Movement of Non-Aligned Countries, held at New Delhi on 7 and 8 April 1997,[106] which underlined the importance of the Chairman of the Ad Hoc Committee on the Indian Ocean continuing his informal consultations on the future of the Indian Ocean as a zone of peace and the Committee's work,

Emphasizing the need to foster consensual approaches, in particular given the prevailing international climate, which is conducive to the pursuit of such endeavours,

Noting the initiatives taken by countries of the region to promote cooperation, in particular economic cooperation, in the Indian Ocean area and the possible contribution of such initiatives to overall objectives of a zone of peace,

Convinced that the participation of all the permanent members of the Security Council and the major maritime users of the Indian Ocean in the work of the Ad Hoc Committee is important and would assist the progress of mutually beneficial dialogue to develop conditions of peace, security and stability in the Indian Ocean region,

Considering that greater efforts and more time are required to develop a focused discussion on practical measures to ensure conditions of peace, security and stability in the Indian Ocean region,

Having considered the report of the Ad Hoc Committee on the Indian Ocean,[107]

1. *Takes note* of the report of the Ad Hoc Committee on the Indian Ocean;[107]

2. *Reiterates its conviction* that the participation of all the permanent members of the Security Council and the major maritime users of the Indian Ocean in the work of the Ad Hoc Committee is important and would greatly facilitate the development of a mutually beneficial dialogue to advance peace, security and stability in the Indian Ocean region;

3. *Requests* the Chairman of the Ad Hoc Committee to continue his dialogue on the work of the Ad Hoc Committee with all of its members, the permanent members of the Security Council and the major maritime users of the Indian Ocean and to report at an early date to the General Assembly,

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[104] See resolution 46/36 L.

[105] *Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 45* and corrigendum (A/34/45 and Corr.1).

[106] A/51/912-S/1997/406, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for July, August and September 1997*, document S/1997/406.

[107] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 29* (A/52/29).

through the Ad Hoc Committee, on his consultations and on other relevant developments;

4. *Requests* the Secretary-General to continue to render all necessary assistance to the Ad Hoc Committee, including the provision of summary records;

5. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Implementation of the Declaration of the Indian Ocean as a Zone of Peace".

67th plenary meeting
9 December 1997

52/45. Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

The General Assembly,

Recalling that in its resolution 1911 (XVIII) of 27 November 1963 it expressed the hope that the States of Latin America would take appropriate measures to conclude a treaty that would prohibit nuclear weapons in Latin America,

Recalling also that in the same resolution it voiced its confidence that, once such a treaty was concluded, all States, and in particular the nuclear-weapon States, would lend it their full cooperation for the effective realization of its peaceful aims,

Considering that in its resolution 2028 (XX) of 19 November 1965 it established the principle of an acceptable balance of mutual responsibilities and obligations between nuclear-weapon States and those which do not possess such weapons,

Recalling that the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)[108] was opened for signature at Mexico City on 14 February 1967,

Welcoming the holding of the eleventh special session of the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean on 14 February 1997 in commemoration of the thirtieth anniversary of the opening for signature of the Treaty of Tlatelolco, as well as the holding of the international seminar on the topic "Nuclear-weapon-free zones in the next century" in Mexico City on 13 and 14 February 1997,

Recalling that in its preamble the Treaty of Tlatelolco states that military denuclearized zones are not an end in themselves but rather a means for achieving general and complete disarmament at a later stage,

Recalling also that in its resolution 2286 (XXII) of 5 December 1967 it welcomed with special satisfaction the Treaty of Tlatelolco as an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security,

Recalling further that in 1990, 1991 and 1992 the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean approved and opened for signature a set of amendments[109] to the Treaty of Tlatelolco,[108] with the aim of enabling the full entry into force of that instrument,

Recalling resolution C/E/RES.27 of the Council of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean,[110] in which the Council called for the promotion of cooperation and consultations with other nuclear-weapon-free zones,

Noting with satisfaction that, with the full adherence on 14 February 1997 of Saint Kitts and Nevis, the Treaty of Tlatelolco is in force for thirty-two sovereign States of the region,

Also noting with satisfaction that on 22 October 1996 Paraguay and on 14 February 1997 Barbados and Venezuela deposited their instruments of ratification of the amendments to the Treaty of Tlatelolco approved by the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean in its resolutions 267 (E-V) of 3 July 1990, 268 (XII) of 10 May 1991 and 290 (E-VII) of 26 August 1992, and that on 23 October 1997 Guatemala signed the amendment to the Treaty contained in resolution 268 (XII),

Further noting with satisfaction that the amended Treaty of Tlatelolco is fully in force for Argentina, Barbados, Brazil, Chile, Guyana, Jamaica, Mexico, Paraguay, Peru, Suriname, Uruguay and Venezuela,

1. *Welcomes* the concrete steps taken by some countries of the region during the past year for the consolidation of the regime of military denuclearization established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco);[108]

2. *Notes with satisfaction* the full adherence of Saint Kitts and Nevis to the Treaty of Tlatelolco;

3. *Urges* the countries of the region that have not yet done so to deposit their instruments of ratification of the amendments to the Treaty of Tlatelolco approved by the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean in its resolutions 267 (E-V), 268 (XII) and 290 (E-VII);

4. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Consolidation of the regime established by the Treaty for the Prohibition of Nuclear

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[108] United Nations, *Treaty Series*, vol. 634, No. 9068.

[109] A/47/467, annex.

[110] See CD/1392.

Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)".

67th plenary meeting
9 December 1997

52/46. African Nuclear-Weapon-Free Zone Treaty

The General Assembly,

Recalling its resolution 51/53 of 10 December 1996 and all its other relevant resolutions, as well as those of the Organization of African Unity,

Recalling also the successful conclusion of the signing ceremony of the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)[111] that took place at Cairo on 11 April 1996,

Recalling further the Cairo Declaration adopted on that occasion,[112] which emphasized that nuclear-weapon-free zones, especially in regions of tension, such as the Middle East, enhance global and regional peace and security,

Noting the statement made by the President of the Security Council on behalf of the members of the Council on 12 April 1996,[113] in which it was stated that the signature of the African Nuclear-Weapon-Free Zone Treaty constituted an important contribution by the African countries to the maintenance of international peace and security,

Considering that the establishment of nuclear-weapon-free zones, especially in the Middle East, would enhance the security of Africa and the viability of the African nuclear-weapon-free zone,

1. *Calls upon* African States that have not yet done so to sign and ratify the African Nuclear-Weapon-Free Zone Treaty[111] as soon as possible so that it may enter into force without delay;

2. *Expresses its appreciation* to the nuclear-weapon States that have signed the Protocols that concern them, and calls upon those which have not yet ratified the Protocols concerning them to do so as soon as possible;

3. *Calls upon* the States contemplated in Protocol III to the Treaty that have not yet done so to take all necessary measures to ensure the speedy application of the Treaty to territories for which they are, *de jure* or de facto, internationally responsible and which lie within the limits of the geographical zone established in the Treaty;

4. *Calls upon* the African States parties to the Treaty on the Non-Proliferation of Nuclear Weapons[114] that have not yet concluded comprehensive safeguards agreements with the International Atomic Energy Agency pursuant to the Treaty to do so, thereby satisfying the requirements of article 9 (*b*) of and annex II to the Treaty of Pelindaba when it enters into force;

5. *Expresses its gratitude* to the Secretary-General for the diligence with which he has rendered effective assistance to the signatories to the African Nuclear-Weapon-Free Zone Treaty in accordance with resolution 51/53;

6. *Expresses its gratitude* to the Secretary-General of the Organization of African Unity and the Director General of the International Atomic Energy Agency for the diligence with which they have rendered effective assistance to the signatories to the Treaty;

7. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "African Nuclear-Weapon-Free Zone Treaty".

67th plenary meeting
9 December 1997

52/47. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

The General Assembly,

Recalling its previous resolutions relating to the complete and effective prohibition of bacteriological (biological) and toxin weapons and to their destruction,

Noting with satisfaction that there are one hundred and forty States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[115] including all the permanent members of the Security Council,

Bearing in mind its call upon all States parties to the Convention to participate in the implementation of the recommendations of the Review Conferences, including the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[116] and to provide such information and data in conformity with standardized procedure to the Secretary-General on an annual basis and no later than 15 April,

Recalling its resolution 46/35 A, adopted without a vote on 6 December 1991, in which it welcomed, *inter alia*, the establishment, proceeding from the recommendations of the Third Review Conference,[117] of an ad hoc group of governmental experts open to all States parties to identify and examine potential verification measures from a scientific and technical standpoint,

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[111] See A/50/426.

[112] A/51/113-S/1996/276, annex; see *Official Records of the Security Council, Fifty-first Year, Supplement for April, May and June 1996*, document S/1996/276.

[113] *Resolutions and Decisions of the Security Council, 1996*, document S/PRST/1996/17.

[114] United Nations, *Treaty Series*, vol. 729, No. 10485.

[115] Resolution 2826 (XXVI), annex.

[116] BWC/CONF.III/23, part II.

Recalling also its resolution 48/65, adopted without a vote on 16 December 1993, in which it commended the final report of the Ad Hoc Group of Governmental Experts to Identify and Examine Potential Verification Measures from a Scientific and Technical Standpoint,[118] agreed to by consensus at the last meeting of the Ad Hoc Group at Geneva on 24 September 1993,

Recalling further its resolution 49/86, adopted without a vote on 15 December 1994, in which it welcomed the final report of the Special Conference of the States Parties to the Convention,[119] adopted by consensus on 30 September 1994, in which the States parties agreed to establish an ad hoc group, open to all States parties, whose objective should be to consider appropriate measures, including possible verification measures, and draft proposals to strengthen the Convention, to be included, as appropriate, in a legally binding instrument to be submitted for the consideration of the States parties,

Recalling the provisions of the Convention related to scientific and technological cooperation and the related provisions of the final report of the Ad Hoc Group of Governmental Experts, the final report of the Special Conference of the States Parties to the Convention, held from 19 to 30 September 1994, and the final documents of the Review Conferences,

1. *Welcomes* the information and data provided to date, and reiterates its call upon all States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction to participate in the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention;[116]

2. *Also welcomes* the progress made by the Ad Hoc Group towards fulfilling the mandate established by the Special Conference of the States Parties to the Convention on 30 September 1994, and urges the Ad Hoc Group to intensify its work with a view to completing it as soon as possible before the commencement of the Fifth Review Conference and to submit its report, which shall be adopted by consensus, to the States parties to be considered at a special conference;

3. *Further welcomes* in this context the steps taken by the Ad Hoc Group, as encouraged by the Fourth Review Conference, to review its methods of work and, in particular, the start of negotiations on a rolling text of a protocol to the Convention;

4. *Requests* the Secretary-General to continue to render the necessary assistance to the depositary Governments of the Convention and to provide such services as may be required for the implementation of the decisions and recommendations of the Review Conferences, as well as the decisions contained in the final report of the Special Conference, including all necessary assistance to the Ad Hoc Group;

5. *Calls upon* all signatory States that have not yet ratified the Convention to do so without delay, and also calls upon those States that have not signed the Convention to become parties thereto at an early date, thus contributing to the achievement of universal adherence to the Convention;

6. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".

67th plenary meeting
9 December 1997

52/48. Development of good-neighbourly relations among Balkan States

The General Assembly,

Recalling its resolution 2625 (XXV) of 24 October 1970, the annex to which contains the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, and its resolutions 46/62 of 9 December 1991, 48/84 B of 16 December 1993 and 50/80 B of 12 December 1995,

Mindful of the importance of the activities aimed at the creation of peace, stability, security, cooperation and sustainable economic development in the Balkan region,

Affirming its determination that all nations should live together in peace with one another as good neighbours,

Emphasizing the urgency of the consolidation of the Balkans as a region of peace, security, stability and good neighbourliness, thus contributing to the maintenance of international peace and security and so enhancing the prospects for sustained development and prosperity for all peoples in the region,

Noting the desire of the Balkan States to develop good-neighbourly relations among themselves and friendly relations with all nations in accordance with the Charter of the United Nations and the principles of international law,

Emphasizing the importance of the results of the summit meeting of the heads of State and Government of countries of South-East Europe, held on Crete, Greece, on 3 and 4 November 1997, for the peace, good neighbourliness, stability and prosperity of the region,

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[117] See BWC/CONF.III/23.

[118] BWC/CONF.III/VEREX/9 and Corr.1.

[119] BWC/SPCONF/1.

Expressing its support for the international efforts aimed at the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina, initialled at Dayton, Ohio, on 21 November 1995 and signed in Paris on 14 December 1995,[120]

Expressing also its support for the Pact on Stability in Europe, adopted in Paris on 21 March 1995, the Process of Stability and Good Neighbourliness in South-East Europe (Royaumont Initiative), the South-East European Cooperative Initiative and the activities of the Central European Initiative, as well as for the inter-Balkan process initiated by the Sofia Declaration on Good-Neighbourly Relations, Stability, Security and Cooperation in the Balkans[121] and further enhanced by the Thessaloniki Declaration on Good-Neighbourly Relations, Stability, Security and Cooperation in the Balkans,[122]

Stressing the importance of good neighbourliness and the development of friendly relations among States for the promotion of international cooperation and for the solution of problems among States in accordance with the Charter of the United Nations,

Taking into account the importance of the ongoing cooperation between the United Nations and the Organization for Security and Cooperation in Europe,

Having considered the report of the Secretary-General on the development of good-neighbourly relations among Balkan States,[123]

Taking note of its deliberations on the subject at the present session,

Mindful of the obligations of all States under the Charter of the United Nations,

1. *Notes with interest* the views of some States on the development of good-neighbourly relations among Balkan States, contained in the report of the Secretary-General;[123]

2. *Emphasizes* the importance for all Balkan States to promote mutual cooperation in all fields and, *inter alia*, in trade and other forms of economic cooperation, transport and telecommunications, protection of the environment, advancement of democratic processes, promotion of human rights and development of cultural and sports relations;

3. *Calls upon* all Balkan States to endeavour to promote good-neighbourly relations and continually to undertake unilateral and joint activities, including confidence-building measures as appropriate, in particular within the framework of the Organization for Security and Cooperation in Europe;

4. *Also calls upon* all Balkan States and interested States outside the region to participate actively in and support the negotiations foreseen in annex 1 B, article V, of the General Framework Agreement for Peace in Bosnia and Herzegovina,[120] with a view to reaching early results;

5. *Calls upon* the relevant international organizations and competent bodies and organizations of the United Nations system to continue to support and assist the ongoing process of development of good-neighbourly relations among the Balkan States, and invites them to inform the Secretary-General of their activities and of their views on the subject;

6. *Stresses* that the closer engagement of Balkan States in cooperation agreements on the European continent will favourably influence the political and economic situation in the region, as well as the good-neighbourly relations among all Balkan States;

7. *Urges* normalization of the relations among all States of the Balkan region;

8. *Affirms* the need for strict compliance with the principles of sovereign equality, territorial integrity or political independence, the inviolability of international borders and non-intervention in matters that are essentially within the domestic jurisdiction of any State;

9. *Stresses* the urgency of the realization of the aim of the Balkans to become a region of peace, stability, security, cooperation and sustained economic development;

10. *Requests* the Secretary-General to continue to seek the views of Member States, particularly those from the Balkan region, and of the relevant international organizations and competent bodies and organizations of the United Nations system, on the development of good-neighbourly relations in the region and on measures aimed at the creation of peace, stability, security, cooperation and sustained economic development in the Balkan region, and to submit a report to the General Assembly at its fifty-fifth session, taking into account, *inter alia*, the views expressed by Member States on the subject;

11. *Decides* to consider the report of the Secretary-General on the subject at its fifty-fifth session.

67th plenary meeting
9 December 1997

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[120] See A/50/790-S/1995/999; see *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/999.

[121] A/51/211-S/1996/551, annex I; see *Official Records of the Security Council, Fifty-first Year, Supplement for July, August and September 1996*, document S/1996/551.

[122] A/52/217-S/1997/507, annex I; see *Official Records of the Security Council, Fifty-second Year, Supplement for July, August and September 1997*, document S/1997/507.

[123] A/52/373.

III. RESOLUTIONS ADOPTED ON THE REPORTS OF THE SPECIAL POLITICAL AND DECOLONIZATION COMMMITTEE (FOURTH COMMITTEE)

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52/55. Effects of atomic radiation

The General Assembly,

Recalling its resolution 913 (X) of 3 December 1955, by which it established the United Nations Scientific Committee on the Effects of Atomic Radiation, and its subsequent resolutions on the subject, including resolution 51/121 of 13 December 1996, in which, *inter alia*, it requested the Scientific Committee to continue its work,

Taking note with appreciation of the report of the United Nations Scientific Committee on the Effects of Atomic Radiation,[1]

Reaffirming the desirability of the Scientific Committee continuing its work,

Concerned about the potentially harmful effects on present and future generations resulting from the levels of radiation to which mankind and the environment are exposed,

Noting the views expressed by Member States at its fifty-second session with regard to the work of the Scientific Committee,

Also noting the provisions contained in section XII, paragraph 38, of the annex to its resolution 51/241 of 31 July 1997 on the strengthening of the United Nations system,

Conscious of the continuing need to examine and compile information about atomic and ionizing radiation and to analyse its effects on mankind and the environment,

1. *Commends* the United Nations Scientific Committee on the Effects of Atomic Radiation for the valuable contribution it has been making in the course of the past forty-two years, since its inception, to wider knowledge and understanding of the levels, effects and risks of atomic radiation, and for fulfilling its original mandate with scientific authority and independence of judgement;

2. *Requests* the Scientific Committee to continue its work, including its important activities to increase knowledge of the levels, effects and risks of ionizing radiation from all sources;

3. *Endorses* the intentions and plans of the Scientific Committee for its future activities of scientific review and assessment on behalf of the General Assembly;

4. *Requests* the Scientific Committee to continue at its next session the review of the important problems in the field of radiation and to report thereon to the General Assembly at its fifty-third session;

5. *Requests* the United Nations Environment Programme to continue providing support for the effective conduct of the work of the Scientific Committee and for the dissemination of its findings to the General Assembly, the scientific community and the public;

6. *Expresses its appreciation* for the assistance rendered to the Scientific Committee by Member States, the specialized agencies, the International Atomic Energy Agency and non-governmental organizations, and invites them to increase their cooperation in this field;

7. *Welcomes*, in this context, the readiness of Member States to provide the Scientific Committee with relevant information on the effects of atomic radiation in affected areas, and invites the Scientific Committee to analyse and give due consideration to such information, particularly in the light of its own findings;

8. *Invites* Member States, the organizations of the United Nations system and non-governmental organizations concerned to provide further relevant data about doses, effects and risks from various sources of radiation, which would greatly help in the preparation of future reports of the Scientific Committee to the General Assembly;

9. *Invites* the International Atomic Energy Agency and the World Health Organization to consider the functions and role of the Scientific Committee and to submit a recommendation to the General Assembly at its fifty-third session, and, meanwhile, requests the Scientific Committee to submit its report to the International Atomic Energy Agency and the World Health Organization, as well as to the General Assembly, which will consider the report together with the evaluation of the report by the International Atomic Energy Agency and the World Health Organization.

69th plenary meeting
10 December 1997

52/56. International cooperation in the peaceful uses of outer space

The General Assembly,

Recalling its resolution 51/123 of 13 December 1996,

Deeply convinced of the common interest of mankind in promoting the exploration and use of outer space for peaceful purposes and in continuing efforts to extend to all States the benefits derived therefrom, and also of the importance of international cooperation in this field, for which the United Nations should continue to provide a focal point,

Reaffirming the importance of international cooperation in developing the rule of law, including the relevant norms of space law and their important role in international cooperation for the exploration and use of outer space for peaceful purposes, and of the widest possible adherence to international treaties that promote the peaceful uses of outer space,

Concerned about the possibility of an arms race in outer space,

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[1] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 46* (A/52/46).

Recognizing that all States, in particular those with major space capabilities, should contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international cooperation in the exploration and use of outer space for peaceful purposes,

Considering that space debris is an issue of concern to all nations,

Noting the progress achieved in the further development of peaceful space exploration and applications as well as in various national and cooperative space projects, which contributes to international cooperation, and the importance of further international cooperation in this field,

Taking note of the report of the Secretary-General[2] on the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space,[3]

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its fortieth session,[4]

1. *Endorses* the report of the Committee on the Peaceful Uses of Outer Space on the work of its fortieth session;[4]

2. *Invites* States that have not yet become parties to the international treaties governing the uses of outer space[5] to give consideration to ratifying or acceding to those treaties;

3. *Notes* that, at its thirty-sixth session, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space, in its working group, continued its work as mandated by the General Assembly in its resolution 51/123;[6]

4. *Endorses* the recommendations of the Committee that the Legal Subcommittee, at its thirty-seventh session, taking into account the concerns of all countries, particularly those of developing countries, should:

(*a*) Continue its consideration of review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space;[7]

(*b*) Continue, through its working group, its consideration of matters relating to the definition and delimitation of outer space and to the character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union;

(*c*) Begin its review of the status of the five international legal instruments governing outer space;

(*d*) Continue its consideration of other matters, including informal consultations on specific proposals already made concerning possible new agenda items for the Legal Subcommittee;

5. *Also endorses* the recommendation of the Committee that the Legal Subcommittee, at its thirty-seventh session, should suspend consideration in its working group of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space pending the results of the work in the Scientific and Technical Subcommittee, without prejudice to the possibility of reconvening its working group on that item if, in the opinion of the Legal Subcommittee, sufficient progress was made in the Scientific and Technical Subcommittee at its session in 1998 to warrant the reconvening of the working group;

6. *Notes* that, in the context of paragraph 4 (*c*) above, the Legal Subcommittee would implement the work plan that it adopted at its thirty-sixth session;[8]

7. *Also notes* that deliberations on the question of the geostationary orbit were undertaken by the Legal Subcommittee, as reflected in its report,[6] on the basis of recent proposals which might provide a new and enhanced basis for future work;

8. *Endorses* the recommendations and agreements concerning the organization of work in the Legal Subcommittee;

9. *Notes with satisfaction* that, in accordance with paragraph 9 of General Assembly resolution 51/123, the Legal Subcommittee was provided, at its thirty-sixth session, with unedited verbatim transcripts of the proceedings in lieu of summary records, and notes that, in accordance with paragraph 10 of that resolution, the Committee evaluated the use of unedited verbatim transcripts at its fortieth session and agreed to continue the use of those transcripts in lieu of verbatim records and to review further its requirements for those transcripts at its forty-first session;

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[2] A/52/307.

[3] See *Report of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, Vienna, 9-21 August 1982* and corrigenda (A/CONF.101/10 and Corr.1 and 2).

[4] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 20* (A/52/20).

[5] Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (resolution 2222 (XXI), annex); Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (resolution 2345 (XXII), annex); Convention on International Liability for Damage Caused by Space Objects (resolution 2777 (XXVI), annex); Convention on Registration of Objects Launched into Outer Space (resolution 3235 (XXIX), annex); Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (resolution 34/68, annex).

[6] See *Official Records of the General Assembly, Fifty-second Session, Supplement No. 20* (A/52/20), sect. II.C.

[7] See resolution 47/68.

[8] See A/AC.105/674, annex II.B.

10. *Also notes with satisfaction* that, in accordance with paragraph 13 of General Assembly resolution 51/123, the Chairman of the Committee continued to hold inter-sessional informal consultations among the members of the Committee concerning the working methods of the Committee and its subsidiary bodies and that consensus decisions were reached, before the fortieth session of the Committee, on measures relating to the composition and election of the bureaux of the Committee and its subsidiary bodies, agenda structures and the duration of the sessions of those bodies;

11. *Endorses* the new measures relating to the working methods of the Committee and its subsidiary bodies adopted by the Committee at its fortieth session in respect of the three elements set out in paragraph 10 above,[9] and notes that, in accordance with paragraph 14 of General Assembly resolution 51/123, the Committee has begun the implementation of those measures;

12. *Notes* that the Scientific and Technical Subcommittee of the Committee on the Peaceful Uses of Outer Space, at its thirty-fourth session, continued its work as mandated by the General Assembly in its resolution 51/123;[10]

13. *Notes with satisfaction* that the Scientific and Technical Subcommittee continued to consider on a priority basis the agenda item on space debris and that the work of the Subcommittee at its thirty-fourth session concentrated on the topics of modelling of the space debris environment and risk assessment, on the basis of the multi-year work plan adopted by the Subcommittee at its thirty-second session;[11]

14. *Agrees* that the multi-year work plan for the consideration of the item on space debris should continue to be implemented with flexibility;

15. *Endorses* the recommendations of the Committee that the Scientific and Technical Subcommittee, at its thirty-fifth session, taking into account the concerns of all countries, particularly those of developing countries, should:

(*a*) Consider the following items on a priority basis:

(i) United Nations Programme on Space Applications and the coordination of space activities within the United Nations system;

(ii) Preparations for the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III) by the Advisory Committee for UNISPACE III;

(iii) Matters relating to remote sensing of the Earth by satellites, including, *inter alia*, applications for developing countries;

(iv) Use of nuclear power sources in outer space;

(v) Space debris;

(*b*) Consider the following items:

(i) Questions relating to space transportation systems and their implications for future activities in space;

(ii) Examination of the physical nature and technical attributes of the geostationary orbit and of its utilization and applications, including, *inter alia*, in the field of space communications, as well as other questions relating to space communications developments, taking particular account of the needs and interests of developing countries;

(iii) Matters relating to life sciences, including space medicine;

(iv) Progress in national and international space activities related to the Earth's environment, in particular progress in the International Geosphere-Biosphere (Global Change) Programme;

(v) Matters relating to planetary exploration;

(vi) Matters relating to astronomy;

(vii) The theme fixed for special attention at the thirty-fifth session of the Scientific and Technical Subcommittee: "Scientific and technical aspects and applications of space-based meteorology"; the Committee on Space Research and the International Astronautical Federation, in liaison with Member States, should be invited to arrange a symposium, with as wide a participation as possible, to be held during the first week of the session of the Subcommittee, to complement discussions within the Subcommittee on the special theme;

16. *Also endorses* the recommendations of the Working Group of the Whole to Evaluate the Implementation of the Recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space, of the Scientific and Technical Subcommittee, as endorsed by the Committee and as contained in the report of the Working Group of the Whole;[12]

17. *Agrees* that the Scientific and Technical Subcommittee should reconvene, at its thirty-fifth session, the Working Group of the Whole to conclude its evaluation of the implementation of the recommendations of the Second Conference and to assist the Advisory Committee for the Third Conference in its preparatory work for that Conference;

18. *Invites* Member States to report to the Secretary-General on a regular basis with regard to national and international research concerning the safety of space objects with nuclear power sources on board;

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[9] See *Official Records of the General Assembly, Fifty-second Session, Supplement No. 20* (A/52/20), annex I.

[10] Ibid., sect. II.B.

[11] A/AC.105/605, para. 83.

[12] A/AC.105/672, annex II.

19. *Endorses* the United Nations Programme on Space Applications for 1998, as proposed to the Committee by the Expert on Space Applications;[13]

20. *Invites* all Governments within the organizations of the United Nations system and other intergovernmental organizations working in the field of outer space or on space-related matters to take effective action for the implementation of the recommendations of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space,[3] and also invites the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the recommendations of the Conference;

21. *Notes with satisfaction* that, in accordance with paragraph 30 of General Assembly resolution 50/27 of 6 December 1995, the Centre for Space Science and Technology Education in Asia and the Pacific continued its education programme in 1997 and that significant progress has been achieved in establishing regional centres for space science and technology education in the other regions;

22. *Notes* that, pursuant to the request in paragraph 29 of General Assembly resolution 51/123, the Committee and its Scientific and Technical Subcommittee, at their 1997 sessions, carried out the tasks entrusted to them in their roles as the Preparatory Committee and the Advisory Committee, respectively, for a special session of the Committee, open to all States Members of the United Nations;

23. *Agrees* that the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III) shall be convened at the United Nations Office at Vienna from 19 to 30 July 1999 as a special session of the Committee on the Peaceful Uses of Outer Space, open to all States Members of the United Nations;

24. *Endorses* the recommendations of the Preparatory Committee at its 1997 session, as contained in its report,[14] and requests the Preparatory and Advisory Committees and the executive secretariat to carry out their tasks in accordance with those recommendations and to report to the General Assembly at its fifty-third session;

25. *Notes with satisfaction* that, in preparation for UNISPACE III, Chile and Malaysia offered to host United Nations regional meetings on space technology and applications for development for Latin America and the Caribbean and for Asia and the Pacific, respectively, and Tunisia has indicated its willingness, in principle, to host a similar regional meeting in Africa in 1998;

26. *Encourages* all Member States, organizations within the United Nations system and other intergovernmental and non-governmental organizations with space activities, as well as space-related industries, to contribute actively to achieving the objectives of UNISPACE III, and invites Member States to submit their national papers for UNISPACE III;

27. *Agrees* that in order to service UNISPACE III, to the extent feasible, within existing resources, the level of conference-servicing resources available to the Committee and its subsidiary bodies for the biennium 1998-1999 should remain at the same level as for the biennium 1996-1997;

28. *Recommends* that more attention be paid to all aspects related to the protection and the preservation of the outer space environment, especially those potentially affecting the Earth's environment;

29. *Considers* that it is essential that Member States pay more attention to the problem of collisions of space objects, including those with nuclear power sources, with space debris, and other aspects of space debris, calls for the continuation of national research on this question, for the development of improved technology for the monitoring of space debris and for the compilation and dissemination of data on space debris, considers that, to the extent possible, information thereon should be provided to the Scientific and Technical Subcommittee, and agrees that international cooperation is needed to expand appropriate and affordable strategies to minimize the impact of space debris on future space missions;

30. *Urges* all States, in particular those with major space capabilities, to contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international cooperation in the exploration and use of outer space for peaceful purposes;

31. *Emphasizes* the need to increase the benefits of space technology and its applications and to contribute to an orderly growth of space activities favourable to sustained economic growth and sustainable development in all countries, particularly in the developing countries;

32. *Requests* the Committee to continue to consider, as a matter of priority, ways and means of maintaining outer space for peaceful purposes, taking into account the views expressed at its fortieth session and at the fifty-second session of the General Assembly, and to report thereon to the Assembly at its fifty-third session;

33. *Also requests* the Committee to continue to consider at its forty-first session its agenda item entitled "Spin-off benefits of space technology: review of current status";

34. *Endorses* the decision of the Committee to grant permanent observer status to the International Space University;

35. *Requests* the specialized agencies and other international organizations to continue and, where appropriate, enhance their cooperation with the Committee and to provide it with progress reports on their work relating to the peaceful uses of outer space;

36. *Requests* the Committee to continue its work, in accordance with the present resolution, to consider, as appropriate, new projects in outer space activities, and to

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[13] See A/AC.105/660, sect. I.

[14] See *Official Records of the General Assembly, Fifty-second Session, Supplement No. 20* (A/52/20), sect. II.E.

submit a report to the General Assembly at its fifty-third session, including its views on which subjects should be studied in the future.

69th plenary meeting
10 December 1997

52/57. Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 51/124 of 13 December 1996 and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 1996 to 30 June 1997,[15]

Welcoming the signature in Washington, D.C., on 13 September 1993 by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the people of Palestine, of the Declaration of Principles on Interim Self-Government Arrangements[16] and the subsequent implementation agreements, and also the signature of the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip in Washington, D.C., on 28 September 1995,[17]

Encouraging the Multilateral Working Group on Refugees of the Middle East peace process to continue its important work,

Welcoming the completion of the transfer of the headquarters of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to Gaza, to its area of operations,

1. *Notes with regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of its resolution 194 (III), has not yet been effected and that, therefore, the situation of the refugees continues to be a matter of concern;

2. *Expresses its thanks* to the Commissioner-General and to all the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, recognizing that the Agency is doing all it can within the limits of available resources, and also expresses its thanks to the specialized agencies and to private organizations for their valuable work in assisting refugees;

3. *Notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of resolution 194 (III), and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the Assembly as appropriate, but no later than 1 September 1998;

4. *Notes* the significant success of the Peace Implementation Programme of the Agency since the signing of the Declaration of Principles on Interim Self-Government Arrangements,[16] and stresses the importance that contributions to this Programme are not at the expense of the General Fund;

5. *Welcomes* strengthened cooperation between the Agency and the World Bank and other specialized agencies, and calls upon the Agency to make a decisive contribution towards giving a fresh impetus to the economic and social stability of the occupied territories;

6. *Urges* all Member States to extend and expedite aid and assistance with a view to the economic and social development of the Palestinian people and the occupied territories;

7. *Reiterates its deep concern* regarding the persisting critical financial situation of the Agency, as outlined in the report of the Commissioner-General;[15]

8. *Commends* the efforts of the Commissioner-General to move towards budgetary transparency and internal efficiency, and hopes that such moves will continue;

9. *Notes with profound concern* that the structural deficit problem confronting the Agency portends an almost certain decline in the living conditions of the Palestine refugees and that it, therefore, has possible consequences for the peace process;

10. *Calls upon* all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency, urges non-contributing Governments to contribute regularly and encourages contributing Governments to consider increasing their regular contributions.

69th plenary meeting
10 December 1997

52/58. Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 2656 (XXV) of 7 December 1970, 2728 (XXV) of 15 December 1970, 2791 (XXVI) of 6 December 1971, 51/125 of 13 December 1996 and the previous resolutions on this question,

Recalling also its decision 36/462 of 16 March 1982, by which it took note of the special report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[18]

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[15] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 13* and addendum (A/52/13 and Add.1).

[16] A/48/486-S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

[17] A/51/889-S/1997/357, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

Having considered the report of the Working Group,[19]

Taking into account the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1996 to 30 June 1997,[20]

Deeply concerned about the persisting critical financial situation of the Agency, which has affected and affects the continuation of the provision of the necessary Agency services to Palestine refugees, including the emergency-related programmes,

Emphasizing the continuing need for extraordinary efforts in order to maintain, at least at the current minimum level, the activities of the Agency, as well as to enable the Agency to carry out essential construction,

1. *Commends* the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its efforts to assist in ensuring the financial security of the Agency;

2. *Takes note with approval* of the report of the Working Group;[19]

3. *Requests* the Working Group to continue its efforts, in cooperation with the Secretary-General and the Commissioner-General, for the financing of the Agency for a further period of one year;

4. *Requests* the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

69th plenary meeting
10 December 1997

52/59. Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967 and 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 51/126 of 13 December 1996,[21]

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1996 to 30 June 1997,[22]

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements, signed in Washington, D.C., on 13 September 1993 by the Government of the State of Israel and the Palestine Liberation Organization,[23] with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. *Expresses the hope* for an accelerated return of displaced persons through the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements;[23]

3. *Endorses*, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above purposes;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its fifty-third session on the progress made with regard to the implementation of the present resolution.

69th plenary meeting
10 December 1997

52/60. Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees

The General Assembly,

Recalling its resolution 212 (III) of 19 November 1948 on assistance to Palestine refugees,

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[18] A/36/866 and Corr.1; see also A/37/591.

[19] A/52/578.

[20] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 13* and addendum (A/52/13 and Add.1).

[21] A/52/423.

[22] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 13* and addendum (A/52/13 and Add.1).

[23] A/48/486-S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

Recalling also its resolutions 35/13 B of 3 November 1980, 36/146 H of 16 December 1981, 37/120 D of 16 December 1982, 38/83 D of 15 December 1983, 39/99 D of 14 December 1984, 40/165 D of 16 December 1985, 41/69 D of 3 December 1986, 42/69 D of 2 December 1987, 43/57 D of 6 December 1988, 44/47 D of 8 December 1989, 45/73 D of 11 December 1990, 46/46 D of 9 December 1991, 47/69 D of 14 December 1992, 48/40 D of 10 December 1993, 49/35 D of 9 December 1994, 50/28 D of 6 December 1995 and 51/127 of 13 December 1996,

Cognizant of the fact that the Palestine refugees have, for the last five decades, lost their homes, lands and means of livelihood,

Having considered the report of the Secretary-General,[24]

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1996 to 30 June 1997,[25]

1. *Urges* all States to respond to the appeal in its resolution 32/90 F of 13 December 1977 and reiterated in subsequent relevant resolutions in a manner commensurate with the needs of Palestine refugees for higher education, including vocational training;

2. *Strongly appeals* to all States, specialized agencies and non-governmental organizations to augment the special allocations for grants and scholarships to Palestine refugees, in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

3. *Expresses its appreciation* to all Governments, specialized agencies and non-governmental organizations that responded favourably to its resolutions on this question;

4. *Invites* the relevant specialized agencies and other organizations of the United Nations system to continue, within their respective spheres of competence, to extend assistance for higher education to Palestine refugee students;

5. *Appeals* to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the Palestinian territory occupied by Israel since 1967, including, in due course, the proposed University of Jerusalem "Al-Quds" for Palestine refugees;

6. *Appeals* to all States, specialized agencies and other international bodies to contribute towards the establishment of vocational training centres for Palestine refugees;

7. *Requests* the Agency to act as the recipient and trustee for the special allocations for grants and scholarships and to award them to qualified Palestine refugee candidates;

8. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

69th plenary meeting
10 December 1997

52/61. Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions,

Recalling also the relevant Security Council resolutions,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1996 to 30 June 1997,[26]

Taking note of the letter dated 14 October 1997 from the Chairman of the Advisory Commission of the Agency addressed to the Commissioner-General, contained in the report of the Commissioner-General,[27]

Having considered the reports of the Secretary-General submitted in pursuance of its resolutions 48/40 E,[28] 48/40 H[29] and 48/40 J[30] of 10 December 1993 and 49/35 C of 9 December 1994,[31]

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,[32]

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[33] to the Palestinian territory occupied since 1967, including Jerusalem,

Aware of the fact that Palestine refugees have, for five decades, lost their homes, lands and means of livelihood,

Also aware of the continuing needs of Palestine refugees throughout the occupied Palestinian territory and in the other fields of operation, namely, in Lebanon, Jordan and the Syrian Arab Republic,

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[24] A/52/415.

[25] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 13* and addendum (A/52/13 and Add.1).

[26] Ibid.

[27] Ibid., p. vii.

[28] A/49/440.

[29] A/49/442.

[30] A/49/443.

[31] A/50/451.

[32] Resolution 22 A (I).

[33] United Nations, *Treaty Series*, vol. 75, No. 973.

Further aware of the valuable work done by the refugee affairs officers of the Agency in providing protection to the Palestinian people, in particular Palestine refugees,

Deeply concerned about the critical financial situation of the Agency and its effect on the continuity of provision of necessary Agency services to the Palestine refugees, including the emergency-related programmes,

Aware of the work of the new Peace Implementation Programme of the Agency,

Recalling the signing in Washington, D.C., on 13 September 1993 of the Declaration of Principles on Interim Self-Government Arrangements by the Government of the State of Israel and the Palestine Liberation Organization,[34] and the subsequent implementation agreements, including the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, signed in Washington, D.C., on 28 September 1995,[35]

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,[36]

Aware of the establishment of a working relationship between the Advisory Commission of the Agency and the Palestine Liberation Organization in accordance with General Assembly decision 48/417 of 10 December 1993,

1. *Expresses its appreciation* to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all the staff of the Agency, for their tireless efforts and valuable work;

2. *Also expresses its appreciation* to the Advisory Commission of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of its activities, including the full implementation of decision 48/417;

3. *Welcomes* the completion of the transfer of the headquarters of the Agency to Gaza and the signing of the Headquarters Agreement between the Agency and the Palestinian Authority;

4. *Acknowledges* the support of the host Government and the Palestine Liberation Organization for the Agency in the discharge of its duties;

5. *Calls upon* Israel, the occupying Power, to accept the *de jure* applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[33] and to abide scrupulously by its provisions;

6. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[32] with regard to the safety of the personnel of the Agency and the protection of its institutions and the safeguarding of the security of the facilities of the Agency in the occupied Palestinian territory, including Jerusalem;

7. *Calls once again upon* the Government of Israel to compensate the Agency for damages to its property and facilities resulting from actions by the Israeli side;

8. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the occupied Palestinian territory;

9. *Notes* that the new context created by the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Government of the State of Israel and the Palestine Liberation Organization[34] and subsequent implementation agreements has had major consequences for the activities of the Agency, which is henceforth called upon, in close cooperation with the United Nations Special Coordinator in the Occupied Territories, the specialized agencies and the World Bank, to continue to contribute towards the development of economic and social stability in the occupied territory;

10. *Notes also* that the functioning of the Agency remains essential in all fields of operation;

11. *Notes further* the significant success of the Peace Implementation Programme of the Agency;

12. *Expresses concern* over those remaining austerity measures due to the financial crisis which have affected the quality and level of some of the services of the Agency;

13. *Requests* the Commissioner-General to consider the possibility of modernizing the archives of the Agency;

14. *Urges* all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease current financial constraints and to support the Agency in maintaining the provision of the most basic and effective assistance to the Palestine refugees.

69th plenary meeting
10 December 1997

52/62. Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

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[34] A/48/486-S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

[35] A/51/889-S/1997/357, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

[36] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13* (A/49/13), annex I.

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 51/129 of 13 December 1996,[37]

Taking note also of the report of the United Nations Conciliation Commission for Palestine for the period from 1 September 1996 to 31 August 1997,[38]

Recalling that the Universal Declaration of Human Rights[39] and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine Arab refugees,

Taking note of the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,[40] and of the fact that the Land Office had a schedule of Arab owners and file of documents defining the location, area and other particulars of Arab property,

Recalling that in the framework of the Middle East peace process the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993,[41] to commence negotiations on permanent status issues, including the important issue of the refugees, and calling for the commencement of those negotiations,

1. *Reaffirms* that the Palestine Arab refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of justice and equity;

2. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel and to preserve and modernize the existing records;

3. *Calls once more upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

5. *Urges* the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues in the framework of the final status negotiations of the Middle East peace process;

6. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

69th plenary meeting
10 December 1997

52/63. University of Jerusalem "Al-Quds" for Palestine refugees

The General Assembly,

Recalling its resolutions 36/146 G of 16 December 1981, 37/120 C of 16 December 1982, 38/83 K of 15 December 1983, 39/99 K of 14 December 1984, 40/165 D and K of 16 December 1985, 41/69 K of 3 December 1986, 42/69 K of 2 December 1987, 43/57 J of 6 December 1988, 44/47 J of 8 December 1989, 45/73 J of 11 December 1990, 46/46 J of 9 December 1991, 47/69 J of 14 December 1992, 48/40 I of 10 December 1993, 49/35 G of 9 December 1994, 50/28 G of 6 December 1995 and 51/130 of 13 December 1996,

Having considered the report of the Secretary-General,[42]

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period from 1 July 1996 to 30 June 1997,[43]

1. *Emphasizes* the need for strengthening the educational system in the Palestinian territory occupied by Israel since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;

2. *Requests* the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem "Al-Quds", in accordance with General Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

3. *Calls once more upon* Israel, the occupying Power, to cooperate in the implementation of the present resolution and to remove the hindrances that it has put in the way of establishing the University of Jerusalem "Al-Quds";

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the progress made in the implementation of the present resolution.

69th plenary meeting
10 December 1997

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[37] A/52/372.

[38] A/52/311, annex.

[39] Resolution 217 A (III).

[40] *Official Records of the General Assembly, Nineteenth Session, Annexes*, Annex No. 11, document A/5700.

[41] A/48/486-S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

[42] A/52/503.

[43] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 13* and addendum (A/52/13 and Add.1).

52/64. Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the principles of international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[44] as well as international standards of human rights, in particular the Universal Declaration of Human Rights[45] and the International Covenants on Human Rights,[46]

Recalling its relevant resolutions, including resolution 2443 (XXIII) of 19 December 1968, and relevant resolutions of the Commission on Human Rights,

Recalling also relevant resolutions of the Security Council,

Aware of the lasting impact of the uprising (*intifada*) of the Palestinian people,

Convinced that occupation itself represents a primary violation of human rights,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[47] and the relevant reports of the Secretary-General,[48]

Recalling the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Government of the State of Israel and the Palestine Liberation Organization in Washington, D.C., on 13 September 1993,[49] as well as the subsequent implementation agreements, including the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip signed in Washington, D.C., on 28 September 1995,[50]

Expressing the hope that, with the progress of the peace process, the Israeli occupation will be brought to an end and therefore violation of the human rights of the Palestinian people will cease,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. *Demands* that Israel cooperate with the Special Committee in implementing its mandate;

3. *Deplores* those policies and practices of Israel which violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the reports of the Special Committee covering the reporting period;

4. *Expresses concern* about the recent deterioration of the situation in the occupied Palestinian territory, including Jerusalem, as a result of Israeli practices and measures and the impasse facing the Middle East peace process;

5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli lack of compliance with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[44] and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the occupied Palestinian territory, including Jerusalem;

7. *Further requests* the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

8. *Requests* the Secretary-General:

(*a*) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(*b*) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(*c*) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(*d*) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Office of Communications and Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

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[44] United Nations, *Treaty Series*, vol. 75, No. 973.

[45] Resolution 217 A (III).

[46] Resolution 2200 A (XXI), annex.

[47] See A/52/131 and Add.1 and 2.

[48] A/52/550-553.

[49] A/48/486-S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

[50] A/51/889-S/1997/357, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

(*e*) To report to the General Assembly at its fifty-third session on the tasks entrusted to him in the present resolution;

9. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

69th plenary meeting
10 December 1997

52/65. Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the occupied Palestinian territory, including Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions,

Bearing in mind the relevant resolutions of the Security Council,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[51] and the relevant reports of the Secretary-General,[52]

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[53] is applicable to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Demands* that Israel accept the *de jure* applicability of the Convention in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all States parties to the Convention, in accordance with article 1 common to the four Geneva Conventions,[54] to exert all efforts in order to ensure respect for its provisions by Israel, the occupying Power, in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

69th plenary meeting
10 December 1997

52/66. Israeli settlements in the occupied Palestinian territory, including Jerusalem, and the occupied Syrian Golan

The General Assembly,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, including those adopted at its tenth emergency special session, as well as relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[55] to the occupied Palestinian territory, including Jerusalem, and to the occupied Syrian Golan,

Aware of the Middle East peace process started at Madrid and the agreements reached between the parties, in particular the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[56] and the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip of 28 September 1995,[57]

Expressing grave concern about the decision of the Government of Israel to resume settlement activities, including the construction of the new settlement in Jabal Abu Ghneim, in violation of international humanitarian law, relevant United Nations resolutions and the agreements reached between the parties,

Gravely concerned in particular about the dangerous situation resulting from actions taken by the illegal armed Israeli settlers in the occupied territory, as illustrated by the massacre of Palestinian worshippers by an illegal Israeli settler in Al-Khalil on 25 February 1994,

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[51] See A/52/131 and Add.1 and 2.

[52] A/52/550-553.

[53] United Nations, *Treaty Series*, vol. 75, No. 973.

[54] Ibid., Nos. 970-973.

[55] Ibid., No. 973.

[56] A/48/486-S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

[57] A/51/889-S/1997/357, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

Taking note of the report of the Secretary-General,[58]

1. *Reaffirms* that Israeli settlements in the Palestinian territory, including Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Calls upon* Israel to accept the *de jure* applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[55] to the occupied Palestinian territory, including Jerusalem, and to the occupied Syrian Golan and to abide scrupulously by the provisions of the Convention, in particular article 49;

3. *Demands* complete cessation of the construction of the new settlement in Jabal Abu Ghneim and of all Israeli settlement activities in the occupied Palestinian territory, including Jerusalem, and in the occupied Syrian Golan;

4. *Stresses* the need for full implementation of Security Council resolution 904 (1994) of 18 March 1994, in which, among other things, the Council called upon Israel, the occupying Power, to continue to take and implement measures, including, *inter alia*, confiscation of arms, with the aim of preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory.

69th plenary meeting
10 December 1997

52/67. Israeli practices affecting the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem

The General Assembly,

Recalling its relevant resolutions, including those adopted at its tenth emergency special session, and the resolutions of the Commission on Human Rights,

Bearing in mind the relevant resolutions of the Security Council, the most recent of which are resolutions 904 (1994) of 18 March 1994 and 1073 (1996) of 28 September 1996,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[59] and the reports of the Secretary-General,[60]

Aware of the responsibility of the international community to promote human rights and ensure respect for international law,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[61] to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling the signing of the Declaration of Principles on Interim Self-Government Arrangements by the Government of the State of Israel and the Palestine Liberation Organization in Washington, D.C., on 13 September 1993,[62] as well as the subsequent implementation agreements, including the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip signed in Washington, D.C., on 28 September 1995,[63]

Noting the withdrawal of the Israeli army, which took place in the Gaza Strip and the Jericho Area in accordance with the agreements reached between the parties, and the initiation of the Palestinian Authority in those areas,

Noting also the redeployment of the Israeli army from six cities in the West Bank,

Concerned about the continuing violation of the human rights of the Palestinian people by Israel, the occupying Power, especially the use of collective punishment, closure of areas, annexation and establishment of settlements and the continuing actions by it designed to change the legal status, geographical nature and demographic composition of the occupied Palestinian territory, including Jerusalem,

Expressing its deep concern in particular about the closure by the Israeli authorities of the occupied Palestinian territory, including Jerusalem, which prevents the freedom of movement of persons and goods and is the cause of great economic and social hardship, in violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and the agreements reached between the two sides,

Convinced of the positive impact of a temporary international or foreign presence in the occupied Palestinian territory on the safety and protection of the Palestinian people,

Expressing its appreciation to the countries that participated in the Temporary International Presence in Hebron for their positive contribution,

Convinced of the need for the full implementation of Security Council resolutions 904 (1994) and 1073 (1996),

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[58] A/51/517.

[59] See A/52/131 and Add.1 and 2.

[60] A/52/550-553.

[61] United Nations, *Treaty Series*, vol. 75, No. 973.

[62] A/48/486-S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

[63] A/51/889-S/1997/357, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

1. *Determines* that all measures and actions taken by Israel, the occupying Power, in the occupied Palestinian territory, including Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[61] and contrary to the relevant resolutions of the Security Council, are illegal and have no validity and that such measures should cease immediately;

2. *Demands* that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people;

3. *Stresses* the need to preserve the territorial integrity of all of the occupied Palestinian territory and to guarantee the freedom of movement of persons and goods within the Palestinian territory, including the removal of restrictions on movement into and from East Jerusalem, and the freedom of movement to and from the outside world;

4. *Calls upon* Israel, the occupying Power, to accelerate the release of all remaining Palestinians arbitrarily detained or imprisoned, in line with agreements reached;

5. *Calls* for complete respect by Israel, the occupying Power, of all fundamental freedoms of the Palestinian people, pending the extension of the self-government arrangements to the rest of the occupied territory;

6. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

69th plenary meeting
10 December 1997

52/68. The occupied Syrian Golan

The General Assembly,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,[64]

Deeply concerned that the Syrian Golan occupied since 1967 has been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the last of which was resolution 51/135 of 13 December 1996,

Having considered the report of the Secretary-General submitted in pursuance of resolution 51/135,[65]

Recalling its previous relevant resolutions in which, *inter alia*, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under international law, including the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[66] to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and expressing grave concern about the stalling of the peace process on the Syrian and Lebanese tracks,

1. *Calls upon* Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council, *inter alia*, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel, the occupying Power, should rescind forthwith its decision;

2. *Also calls upon* Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[66] and have no legal effect;

4. *Calls upon* Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and to desist from its repressive measures against the population of the occupied Syrian Golan;

5. *Deplores* the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

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[64] See A/52/131 and Add.1 and 2.

[65] A/52/550.

[66] United Nations, *Treaty Series*, vol. 75, No. 973.

6. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

69th plenary meeting
10 December 1997

52/69. Comprehensive review of the whole question of peacekeeping operations in all their aspects

The General Assembly,

Recalling its resolution 2006 (XIX) of 18 February 1965 and all other relevant resolutions,

Recalling in particular its resolution 51/136 of 13 December 1996,

Taking note of the report of the Secretary-General on the work of the Organization,[67]

Affirming that the efforts of the United Nations in the peaceful settlement of disputes, including through its peacekeeping operations, are indispensable,

Welcoming the expansion of the membership of the Special Committee on Peacekeeping Operations,

Convinced of the need for the United Nations to continue to improve its capabilities in the field of peacekeeping and to enhance the effective and efficient deployment of its peacekeeping operations,

Considering the contribution that all States Members of the Organization make to peacekeeping,

Taking note of the widespread interest in contributing to the work of the Special Committee expressed by many Member States, in particular troop-contributing countries,

Bearing in mind the continuous necessity of preserving the efficiency and strengthening the effectiveness of the work of the Special Committee,

1. *Welcomes* the report of the Special Committee on Peacekeeping Operations;[68]

2. *Endorses* the proposals, recommendations and conclusions of the Special Committee contained in paragraphs 34 to 91 of its report;

3. *Urges* Member States, the Secretariat and relevant organs of the United Nations to take all necessary steps to implement the proposals, recommendations and conclusions of the Special Committee;

4. *Reiterates* that those Member States that become personnel contributors to United Nations peacekeeping operations in years to come or participate in the future in the Special Committee for three consecutive years as observers shall, upon request in writing to the Chairman of the Committee, become members at the following session of the Committee;

5. *Decides* that the Special Committee, in accordance with its mandate, shall continue its efforts for a comprehensive review of the whole question of peacekeeping operations in all their aspects and shall review the implementation of its previous proposals and consider any new proposals so as to enhance the capacity of the United Nations to fulfil its responsibilities in this field;

6. *Requests* the Special Committee to submit a report on its work to the General Assembly at its fifty-third session;

7. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Comprehensive review of the whole question of peacekeeping operations in all their aspects".

69th plenary meeting
10 December 1997

52/70. Questions relating to information

A

INFORMATION IN THE SERVICE OF HUMANITY

The General Assembly,

Taking note of the comprehensive and important report of the Committee on Information,[69]

Also taking note of the report of the Secretary-General on questions relating to information,[70]

Urges all countries, organizations of the United Nations system as a whole and all others concerned, reaffirming their commitment to the principles of the Charter of the United Nations and to the principles of freedom of the press and freedom of information, as well as to those of the independence, pluralism and diversity of the media, deeply concerned by the disparities existing between developed and developing countries and the consequences of every kind arising from those disparities that affect the capability of the public, private or other media and individuals in developing countries to disseminate information and communicate their views and their cultural and ethical values through endogenous cultural production, as well as to ensure the diversity of sources and their free access to information, and recognizing the call in this context for what in the United Nations and at various international forums has been termed "a new world information and communication order, seen as an evolving and continuous process":

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[67] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 1* (A/52/1).

[68] A/52/209.

[69] A/52/21. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 21*.

[70] A/52/455.

(*a*) To cooperate and interact with a view to reducing existing disparities in information flows at all levels by increasing assistance for the development of communication infrastructures and capabilities in developing countries, with due regard for their needs and the priorities attached to such areas by those countries, and in order to enable them and the public, private or other media in developing countries to develop their own information and communication policies freely and independently and increase the participation of media and individuals in the communication process, and to ensure a free flow of information at all levels;

(*b*) To ensure for journalists the free and effective performance of their professional tasks and condemn resolutely all attacks against them;

(*c*) To provide support for the continuation and strengthening of practical training programmes for broadcasters and journalists from public, private and other media in developing countries;

(*d*) To enhance regional efforts and cooperation among developing countries, as well as cooperation between developed and developing countries, to strengthen communication capacities and to improve the media infrastructure and communication technology in the developing countries, especially in the areas of training and dissemination of information;

(*e*) To aim, in addition to bilateral cooperation, at providing all possible support and assistance to the developing countries and their media, public, private or other, with due regard to their interests and needs in the field of information and to action already adopted within the United Nations system, including:

(i) The development of the human and technical resources that are indispensable for the improvement of information and communication systems in developing countries and support for the continuation and strengthening of practical training programmes, such as those already operating under both public and private auspices throughout the developing world;

(ii) The creation of conditions that will enable developing countries and their media, public, private or other, to have, by using their national and regional resources, the communication technology suited to their national needs, as well as the necessary programme material, especially for radio and television broadcasting;

(iii) Assistance in establishing and promoting telecommunication links at the subregional, regional and interregional levels, especially among developing countries;

(iv) The facilitation, as appropriate, of access by the developing countries to advanced communication technology available on the open market;

(*f*) To provide full support for the International Programme for the Development of Communication[71] of the United Nations Educational, Scientific and Cultural Organization, which should support both public and private media.

69th plenary meeting
10 December 1997

B

UNITED NATIONS PUBLIC INFORMATION POLICIES AND ACTIVITIES

The General Assembly,

Strongly reaffirming its primary role in elaborating, coordinating and harmonizing United Nations policies and activities in the field of information,

1. *Takes note* of the report of the Committee on Information;[69]

2. *Notes* that the Committee on Information was unable to finish its task during its nineteenth session;

3. *Takes note* of the report of the Secretary-General on questions relating to information;[70]

4. *Also takes note* of the report of the Task Force on the Reorientation of United Nations Public Information Activities;[72]

5. *Requests* the Secretary-General to continue to implement already mandated activities;

6. *Also requests* the Secretary-General to report to the Committee on Information at its twentieth session, and to the General Assembly at its fifty-third session, on United Nations public information activities and on the implementation of the measures regarding information and communications approved by the Assembly;

7. *Requests* the Committee on Information to report to the General Assembly at its fifty-third session;

8. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Questions relating to information".

69th plenary meeting
10 December 1997

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[71] See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twenty-first Session, Belgrade, 23 September to 28 October 1980*, vol. 1, *Resolutions*, sect. III.4, resolution 4/21.

[72] A/AC.198/1997/CRP.1, annex.

52/71. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations[73] and the action taken by the Special Committee in respect of that information,

Having also examined the report of the Secretary-General,[74]

Recalling its resolution 1970 (XVIII) of 16 December 1963, in which it requested the Special Committee to study the information transmitted to the Secretary-General in accordance with Article 73 *e* of the Charter and to take such information fully into account in examining the situation with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960,

Recalling also its resolution 51/139 of 13 December 1996, in which it requested the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII),

Stressing the importance of timely transmission by the administering Powers of adequate information under Article 73 *e* of the Charter, in particular in relation to the preparation by the Secretariat of the working papers on the Territories concerned,

1. *Approves* the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations;[73]

2. *Reaffirms* that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory has attained a full measure of self-government in terms of Chapter XI of the Charter, the administering Power concerned should continue to transmit information under Article 73 *e* of the Charter with respect to that Territory;

3. *Requests* the administering Powers concerned to transmit or continue to transmit to the Secretary-General the information prescribed in Article 73 *e* of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories concerned, within a maximum period of six months following the expiration of the administrative year in those Territories;

4. *Requests* the Secretary-General to continue to ensure that adequate information is drawn from all available published sources in connection with the preparation of the working papers relating to the Territories concerned;

5. *Requests* the Special Committee to continue to discharge the functions entrusted to it under resolution 1970 (XVIII), in accordance with established procedures, and to report thereon to the General Assembly at its fifty-third session.

69th plenary meeting
10 December 1997

52/72. Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories

The General Assembly,

Having considered the item entitled "Activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination",

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the item,[75]

Recalling its resolution 1514 (XV) of 14 December 1960, as well as all its other relevant resolutions, including, in particular, resolution 46/181 of 19 December 1991,

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming also that any economic or other activity that has a negative impact on the interests of the peoples of the Non-Self-Governing Territories and on the exercise of their right to self-determination in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV) is contrary to the purposes and principles of the Charter,

Reaffirming further that the natural resources are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations,

Aware of the special circumstances of the geographical location, size and economic conditions of each Territory, and bearing in mind the need to promote the economic stability, diversification and strengthening of the economy of each Territory,

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[73] A/52/23 (Part IV), chap. VIII. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 23.*

[74] A/52/365.

[75] A/52/23 (Part III), chap. V. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 23.*

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Conscious also that foreign economic investment, when done in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes, could make a valid contribution to the socio-economic development of the Territories and could also make a valid contribution to the exercise of their right to self-determination,

Concerned about any activities aimed at exploiting the natural and human resources of the Non-Self-Governing Territories to the detriment of the interests of the inhabitants of those Territories,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity, the South Pacific Forum and the Caribbean Community,

1. *Reaffirms* the right of peoples of Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as their right to enjoyment of their natural resources and their right to dispose of those resources in their best interest;

2. *Affirms* the value of foreign economic investment undertaken in collaboration with the peoples of the Non-Self-Governing Territories and in accordance with their wishes in order to make a valid contribution to the socio-economic development of the Territories;

3. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the political, economic, social and educational advancement of the Non-Self-Governing Territories, and reaffirms the legitimate rights of their peoples over their natural resources;

4. *Reaffirms its concern* about any activities aimed at the exploitation of the natural resources that are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations, in the Caribbean, the Pacific and other regions, as well as their human resources, to the detriment of their interests, and in such a way as to deprive them of their right to dispose of those resources;

5. *Affirms* the need to avoid any economic and other activities which adversely affect the interests of the peoples of the Non-Self-Governing Territories;

6. *Calls once again upon* all Governments that have not yet done so to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in the Non-Self-Governing Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises;

7. *Reiterates* that the damaging exploitation and plundering of the marine and other natural resources of the Non-Self-Governing Territories, in violation of the relevant resolutions of the United Nations, is a threat to the integrity and prosperity of those Territories;

8. *Invites* all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of the Non-Self-Governing Territories over their natural resources is fully respected and safeguarded;

9. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the Non-Self-Governing Territories to their natural resources and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

10. *Calls upon* the administering Powers concerned to ensure that no discriminatory working conditions prevail in the Territories under their administration and to promote in each Territory a fair system of wages applicable to all the inhabitants without any discrimination;

11. *Requests* the Secretary-General to continue, through all means at his disposal, to inform world public opinion of any activity that affects the exercise of the right of the peoples of Non-Self-Governing Territories to self-determination in conformity with the Charter and General Assembly resolution 1514 (XV);

12. *Appeals* to the mass media, trade unions and non-governmental organizations, as well as individuals, to continue their efforts to promote the economic well-being of the peoples of the Non-Self-Governing Territories;

13. *Decides* to follow the situation in the Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of their peoples, including the indigenous populations, and at promoting the economic and financial viability of those Territories;

14. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its fifty-third session.

69th plenary meeting
10 December 1997

52/73. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

The General Assembly,

Having considered the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial

Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations",

Having also considered the report of the Secretary-General[76] and the report of the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples on his consultations with the President of the Economic and Social Council,[77]

Having examined the chapter of the report of the Special Committee relating to the item,[78]

Recalling its resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960, and resolutions of the Special Committee, as well as other relevant resolutions and decisions, including in particular Economic and Social Council resolution 1996/37 of 26 July 1996,

Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity, the South Pacific Forum and the Caribbean Community,

Conscious of the need to facilitate the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in its resolution 1514 (XV),

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Welcoming the assistance extended to Non-Self-Governing Territories by certain specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Stressing that, because the development options of small island Non-Self-Governing Territories are limited, there are special challenges to planning for and implementing sustainable development and that those Territories will be constrained in meeting the challenges without the continued cooperation and assistance of the specialized agencies and other organizations of the United Nations system,

Stressing also the importance of securing the necessary resources for funding expanded assistance programmes for the peoples concerned and the need to enlist the support of all major funding institutions within the United Nations system in that regard,

Reaffirming the mandates of the specialized agencies and other organizations of the United Nations system to take all the appropriate measures, within their respective spheres of competence, to ensure the full implementation of General Assembly resolution 1514 (XV) and other relevant resolutions,

Expressing its appreciation to the Organization of African Unity, the South Pacific Forum, the Caribbean Community and other regional organizations for the continued cooperation and assistance they have extended to the specialized agencies and other organizations of the United Nations system in this regard,

Expressing its conviction that closer contacts and consultations between and among the specialized agencies and other organizations of the United Nations system and regional organizations help to facilitate the effective formulation of programmes of assistance to the peoples concerned,

Mindful of the imperative need to keep under continuous review the activities of the specialized agencies and other organizations of the United Nations system in the implementation of the various United Nations decisions relating to decolonization,

Bearing in mind the extremely fragile economies of the Non-Self-Governing small island Territories and their vulnerability to natural disasters, such as hurricanes, cyclones and sea-level rise, and recalling its relevant resolutions,

Recalling its resolution 51/141 of 13 December 1996 on the implementation of the Declaration by the specialized agencies and the international institutions associated with the United Nations,

1. *Takes note* of the report of the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples on his consultations with the President of the Economic and Social Council,[77] and endorses the observations and suggestions arising therefrom;[79]

2. *Also takes note* of the report of the Secretary-General;[76]

3. *Recommends* that all States intensify their efforts in the specialized agencies and other organizations of the United Nations system to ensure the full and effective implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and other relevant resolutions of the United Nations;

4. *Reaffirms* that the specialized agencies and other organizations and institutions of the United Nations system should continue to be guided by the relevant resolutions of the United Nations in their efforts to contribute to the implementation of the Declaration and all other relevant General Assembly resolutions;

5. *Reaffirms also* that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the aspirations of the peoples of

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[76] A/52/185.

[77] A/AC.109/L.1866.

[78] A/52/23 (Part IV), chap. VII. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 23.*

[79] See E/1997/81 and Add.1.

Non-Self-Governing Territories to exercise their right to self-determination entails, as a corollary, the extension of all appropriate assistance to those peoples;

6. *Expresses its appreciation* to those specialized agencies and other organizations of the United Nations system that have continued to cooperate with the United Nations and the regional and subregional organizations in the implementation of resolution 1514 (XV) and other relevant resolutions of the United Nations, and requests all the specialized agencies and other organizations of the United Nations system to implement the relevant provisions of those resolutions;

7. *Requests* the specialized agencies and other organizations of the United Nations system and international and regional organizations to examine and review conditions in each Territory so as to take appropriate measures to accelerate progress in the economic and social sectors of the Territories;

8. *Requests* the specialized agencies and the other organizations and institutions of the United Nations system, as well as regional organizations, to strengthen existing measures of support and formulate appropriate programmes of assistance to the remaining Non-Self-Governing Territories, within the framework of their respective mandates, in order to accelerate progress in the economic and social sectors of those Territories;

9. *Requests* the specialized agencies and other organizations of the United Nations system concerned to provide information on:

(*a*) Environmental problems facing the Non-Self-Governing Territories;

(*b*) The impact of natural disasters, such as hurricanes and volcanoes, and other environmental problems, such as beach and coastal erosion and droughts, on those Territories;

(*c*) Ways and means to assist the Territories in fighting drug trafficking, money laundering and other illegal and criminal activities;

(*d*) The illegal exploitation of the marine resources of the Territories and the need to utilize those resources for the benefit of the peoples of the Territories;

10. *Recommends* that the executive heads of the specialized agencies and other organizations of the United Nations system formulate, with the active cooperation of the regional organizations concerned, concrete proposals for the full implementation of the relevant resolutions of the United Nations and submit the proposals to their governing and legislative organs;

11. *Also recommends* that the specialized agencies and other organizations of the United Nations system continue to review at the regular meetings of their governing bodies the implementation of General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;

12. *Welcomes* the continuing initiative exercised by the United Nations Development Programme in maintaining close liaison among the specialized agencies and other organizations of the United Nations system and in providing assistance to the peoples of Non-Self-Governing Territories;

13. *Encourages* Non-Self-Governing Territories to take steps to establish and/or strengthen disaster preparedness and management institutions and policies;

14. *Requests* the administering Powers concerned to facilitate the participation of appointed and elected representatives of Non-Self-Governing Territories in the relevant meetings and conferences of the specialized agencies and other organizations of the United Nations system so that the Territories may benefit from the related activities of those agencies and organizations;

15. *Recommends* that all Governments intensify their efforts in the specialized agencies and other organizations of the United Nations system of which they are members to accord priority to the question of providing assistance to the peoples of the Non-Self-Governing Territories;

16. *Requests* the Secretary-General to continue to assist the specialized agencies and other organizations of the United Nations system in working out appropriate measures for implementing the relevant resolutions of the United Nations and to prepare for submission to the relevant bodies, with the assistance of those agencies and organizations, a report on the action taken in implementation of the relevant resolutions, including the present resolution, since the circulation of his previous report;

17. *Commends* the Economic and Social Council for its debate[80] and its resolution 1997/66 of 25 July 1997 on this question, and requests it to continue to consider, in consultation with the Special Committee, appropriate measures for coordination of the policies and activities of the specialized agencies and other organizations of the United Nations system in implementing the relevant resolutions of the General Assembly;

18. *Requests* the specialized agencies to report periodically to the Secretary-General on the implementation of the present resolution;

19. *Requests* the Secretary-General to transmit the present resolution to the governing bodies of the appropriate specialized agencies and international institutions associated with the United Nations so that those bodies may take the necessary measures to implement the resolution, and also requests the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution;

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[80] See E/1997/SR.42. For the final text, see *Official Records of the Economic and Social Council, 1997, Plenary Meetings*, 42nd meeting.

20. *Requests* the Special Committee to continue to examine the question and to report thereon to the General Assembly at its fifty-third session.

69th plenary meeting
10 December 1997

52/74. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories

The General Assembly,

Recalling its resolution 51/142 of 13 December 1996,

Having examined the report of the Secretary-General on offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories,[81] prepared pursuant to its resolution 845 (IX) of 22 November 1954,

Conscious of the importance of promoting the educational advancement of the inhabitants of Non-Self-Governing Territories,

Strongly convinced that the continuation and expansion of offers of scholarships is essential to meet the increasing need of students from Non-Self-Governing Territories for educational and training assistance, and considering that students in those Territories should be encouraged to avail themselves of such offers,

1. *Takes note* of the report of the Secretary-General;[81]

2. *Expresses its appreciation* to those Member States that have made scholarships available to the inhabitants of Non-Self-Governing Territories;

3. *Invites* all States to make or continue to make generous offers of study and training facilities to the inhabitants of those Territories that have not yet attained self-government or independence and, wherever possible, to provide travel funds to prospective students;

4. *Urges* the administering Powers to take effective measures to ensure the widespread and continuous dissemination in the Territories under their administration of information relating to offers of study and training facilities made by States and to provide all the necessary facilities to enable students to avail themselves of such offers;

5. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution;

6. *Draws the attention* of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to the present resolution.

69th plenary meeting
10 December 1997

52/75. Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolution 51/143 of 13 December 1996,

Recalling also the agreement in principle given on 30 August 1988 by the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Rio de Oro to the proposals of the Secretary-General of the United Nations and the Chairman of the Assembly of Heads of State and Government of the Organization of African Unity in the context of their joint mission of good offices,

Recalling further Security Council resolutions 658 (1990) of 27 June 1990 and 690 (1991) of 29 April 1991, by which the Council approved the settlement plan for Western Sahara,[82]

Recalling all the Security Council and General Assembly resolutions relating to the question of Western Sahara,

Taking note with satisfaction of the entry into force of the ceasefire in accordance with the proposal of the Secretary-General, and stressing the importance it attaches to the maintenance of the ceasefire as an integral part of the settlement plan,

Reaffirming the responsibility of the United Nations towards the people of Western Sahara, as provided for in the settlement plan,

Taking note with satisfaction of the agreements[83] reached by the two parties during their private direct talks aimed at the implementation of the settlement plan, and stressing the importance it attaches to a full, fair and faithful implementation of the settlement plan and the agreements aimed at its implementation,

Taking note of Security Council resolution 1131 (1997) of 29 September 1997,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the

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[81] A/52/388 and Add.1 and 2.

[82] See *Official Records of the Security Council, Forty-fifth Year, Supplement for April, May and June 1990*, document S/21360; and ibid., *Forty-sixth Year, Supplement for April, May and June 1991*, document S/22464.

[83] Ibid., *Fifty-second Year, Supplement for July, August and September 1997*, documents S/1997/742 and Add.1.

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[84]

Having also examined the report of the Secretary-General,[85]

1. *Takes note* of the report of the Secretary-General;[85]

2. *Takes note with satisfaction* of the agreements[83] reached between the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Rio de Oro for the implementation of the settlement plan[82] during their private direct talks under the auspices of Mr. James Baker III, the Personal Envoy of the Secretary-General, and urges the parties to implement those agreements fully and faithfully;

3. *Urges* the two parties to continue their cooperation with the Secretary-General and his Personal Envoy and to refrain from undertaking anything that would undermine the implementation of the settlement plan and the agreements reached for its implementation;

4. *Commends* the Secretary-General and his Personal Envoy for their efforts in reaching these agreements as well as the two parties for the cooperation they have shown, and urges them to continue this cooperation in order to facilitate the speedy implementation of the settlement plan;

5. *Reaffirms* the responsibility of the United Nations towards the people of Western Sahara, as provided for in the settlement plan;

6. *Reiterates its support* for further efforts of the Secretary-General for the organization and the supervision by the United Nations, in cooperation with the Organization of African Unity, of a referendum for self-determination of the people of Western Sahara, in conformity with Security Council resolutions 658 (1990) and 690 (1991), by which the Council approved the settlement plan for Western Sahara;

7. *Takes note* of Security Council resolution 1131 (1997);

8. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara, bearing in mind the positive ongoing implementation of the settlement plan, and to report thereon to the General Assembly at its fifty-third session;

9. *Invites* the Secretary-General to submit to the General Assembly at its fifty-third session a report on the implementation of the present resolution.

69th plenary meeting
10 December 1997

52/76. Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia,[86]

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling its resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Welcoming the strengthening of the process of review of the Matignon Accords[87] through the increased frequency of coordination meetings,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

1. *Urges* all the parties involved, in the interest of all the people of New Caledonia and building on the positive outcome of the mid-term review of the Matignon Accords,[87] to maintain their dialogue in a spirit of harmony;

2. *Invites* all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all New Caledonians according to the letter and the spirit of the Matignon Accords, which are based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

3. *Welcomes* measures that have been taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon Accords;

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[84] A/52/23 (Part V), chap. IX. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 23.*

[85] A/52/364 and Add.1.

[86] A/52/23 (Part V), chap. IX. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 23.*

[87] See A/AC.109/1000, paras. 9-14.

4. *Also welcomes* the importance attached by the parties to the Matignon Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

5. *Acknowledges* the contribution of the Melanesian Cultural Centre to the protection of the indigenous culture of New Caledonia;

6. *Notes* the positive initiatives aimed at protecting the natural environment of New Caledonia, notably the "Zonéco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

7. *Acknowledges* the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and territorial authorities to facilitate the further development of those links, including the development of closer relations with the countries members of the South Pacific Forum;

8. *Welcomes*, in particular, in this regard, continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to countries members of the South Pacific Forum;

9. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue the examination of this question at its next session and to report thereon to the General Assembly at its fifty-third session.

69th plenary meeting
10 December 1997

52/77. Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands

A

GENERAL

The General Assembly,

Having considered the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands, hereinafter referred to as "the Territories",

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[88]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to those Territories, including, in particular, the resolutions adopted by the General Assembly at its fifty-first session on the individual Territories covered by the present resolution,

Recognizing that the specific characteristics and the sentiments of the peoples of the Territories require flexible, practical and innovative approaches to the options of self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Recalling its resolution 1541 (XV) of 15 December 1960, containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 *e* of the Charter of the United Nations,

Expressing its concern that thirty-seven years after the adoption of the Declaration there still remains a number of Non-Self-Governing Territories,

Acknowledging the significant achievements by the international community towards the eradication of colonialism in accordance with the Declaration, and conscious of the importance of continuing effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by the year 2000,

Taking note of the positive constitutional developments in some Non-Self-Governing Territories about which the Special Committee has received information, while also acknowledging the need for recognition to be given to expressions of self-determination by the peoples of the Territories consistent with practice under the Charter,

Recognizing that in the decolonization process there is no alternative to the principle of self-determination as enunciated by the General Assembly in its resolutions 1514 (XV), 1541 (XV) and other resolutions,

Noting with appreciation the continuing exemplary cooperation of New Zealand, as an administering Power, in the work of the Special Committee, and welcoming the recent constitutional developments in Tokelau,

Welcoming the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland that it continues to take seriously its obligations under the Charter to develop self-government in the dependent Territories and, in cooperation with the locally elected Governments, to ensure that their constitutional frameworks continue to meet the wishes of the people, and the emphasis that it is ultimately for the peoples of the Territories to decide their future status,

Welcoming also the stated position of the Government of the United States of America that it supports fully the principles of decolonization and takes seriously its obligations under the Charter to promote to the utmost the well-being of the inhabitants of the Territories under United States administration,

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[88] A/52/23 (Part VI), chap. X. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 23*.

Aware of the special circumstances of the geographical location and economic conditions of each Territory, and bearing in mind the necessity of promoting economic stability and diversifying and strengthening further the economies of the respective Territories as a matter of priority,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Aware of the usefulness both to the Territories and to the Special Committee of the participation of appointed and elected representatives of the Territories in the work of the Special Committee,

Convinced that the wishes and aspirations of the peoples of the Territories should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Convinced also that any negotiations to determine the status of a Territory must not take place without the active involvement and participation of the people of that Territory,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in resolutions 1514 (XV), 1541 (XV) and other resolutions of the General Assembly,

Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the Territories, and considering that the possibility of sending further visiting missions to the Territories at an appropriate time and in consultation with the administering Powers should be kept under review,

Noting that the Special Committee held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997, a Caribbean regional seminar to review the political, economic and social conditions in the Territories,

Mindful that in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, it is important for the Committee to be apprised by the administering Powers, and to receive information from other appropriate sources, concerning the wishes and aspirations of the peoples of the Territories,

Mindful also in this connection that the Special Committee considers the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters and other venues, with the active participation of representatives of the Non-Self-Governing Territories, as a helpful means to fulfil its mandate, while recognizing the need for reviewing the role of those seminars in the context of a United Nations programme for ascertaining the political status of the Territories,

Mindful further that some Territories have not had any United Nations visiting mission for a long period of time, and that no such visiting missions have been sent to some of the Territories,

Noting with appreciation the contribution to the development of some Territories by specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, and regional institutions such as the Caribbean Development Bank,

1. *Reaffirms* the inalienable right of the peoples of the Territories to self-determination, including, if they so wish, independence, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Reaffirms also* that it is ultimately for the peoples of the Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection calls upon the administering Powers, in cooperation with the territorial Governments, to facilitate programmes of political education in the Territories in order to foster an awareness among the people of their right to self-determination in conformity with legitimate political status options, including those defined in resolution 1541 (XV);

3. *Requests* the administering Powers to transmit to the Secretary-General information called for under Article 73 *e* of the Charter and other information and reports, including reports on the wishes and aspirations of the peoples of the Territories regarding their future political status as expressed in fair and free referendums and other forms of popular consultation, as well as the results of any informed and democratic processes consistent with practice under the Charter that indicate the clear and freely expressed wish of the people to change the existing status of the Territories;

4. *Stresses* the importance for the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to be apprised of the views and wishes of the peoples of the Territories and to enhance its understanding of their conditions;

5. *Reaffirms* that United Nations visiting missions to the Territories at an appropriate time and in consultation with the administering Powers are an effective means of ascertaining the situation in the Territories, and requests the administering Powers and the elected representatives of the peoples of the Territories to assist the Special Committee in this regard;

6. *Reaffirms also* the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of the Territories, and recommends that priority continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

7. *Requests* the administering Powers, in consultation with the peoples of the Territories, to take all necessary measures to protect and conserve the environment of the Territories under their administration against any environmental degradation, and requests the specialized agencies concerned to continue to monitor environmental conditions in those Territories;

8. *Calls upon* the administering Powers, in cooperation with the respective territorial Governments, to continue to take all necessary measures to counter problems related to drug trafficking, money laundering and other offences;

9. *Stresses* that the eradication of colonialism by the year 2000 requires the full and constructive cooperation of all parties concerned;

10. *Takes note* of the particular circumstances that prevail in the Territories concerned, and encourages the political evolution in them towards self-determination;

11. *Urges* Member States to contribute to the efforts of the United Nations to usher in the twenty-first century in a world free of colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

12. *Invites* the specialized agencies and other organizations of the United Nations system to initiate or to continue to take all necessary measures to accelerate progress in the social and economic life of the Territories;

13. *Requests* the Special Committee to continue the examination of the question of the small Territories and to report thereon to the General Assembly at its fifty-third session with recommendations on appropriate ways to assist the peoples of the Territories in exercising their right to self-determination.

69th plenary meeting
10 December 1997

B

INDIVIDUAL TERRITORIES

The General Assembly,

Referring to resolution A above,

I. *American Samoa*

Noting the report by the administering Power that most American Samoan leaders express satisfaction with the island's present relationship with the United States of America,

Noting also the non-participation of representatives of the people of American Samoa in the last three regional seminars,

Noting further that the Government of the Territory continues to have significant financial, budgetary and internal control problems and that the Territory's deficit and financial condition are compounded by the high demand for government services from the rapidly growing population, a limited economic and tax base and recent natural disasters,

Noting that the Territory, similar to isolated communities with limited funds, continues to experience a lack of adequate medical facilities and other infrastructural requirements,

Aware of the efforts of the Government of the Territory to control and reduce expenditures, while continuing its programme of expanding and diversifying the local economy,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. *Calls upon* the administering Power to continue to assist the territorial Government in the economic and social development of the Territory, including measures to rebuild financial management capabilities and strengthen other governmental functions of the Government of the Territory;

II. *Anguilla*

Conscious of the commitment of both the Government of Anguilla and the administering Power to a new and closer policy of dialogue and partnership through the Country Policy Plan for 1993-1997,

Aware of the efforts of the Government of Anguilla to continue to develop the Territory as a viable offshore centre and well-regulated financial centre for investors, by enacting modern company and trust laws, as well as partnership and insurance legislation, and computerizing the company registry system,

Noting the need for continued cooperation between the administering Power and the territorial Government in tackling the problems of drug trafficking and money laundering,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. *Calls upon* the administering Power and all States, organizations and United Nations agencies to continue to assist the Territory in social and economic development;

III. *Bermuda*

Noting the results of the independence referendum held on 16 August 1995,

Conscious of the different viewpoints of the political parties of the Territory on the future status of the Territory,

Noting the measures taken by the Government to combat racism and the plan to set up a Commission for Unity and Racial Equality, *Noting also* the report of the intended closure of the foreign military bases and installations in the Territory,

Taking into consideration the statement made in October 1995 by the Finance Minister on the transfer of those lands for development projects,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. *Calls upon* the administering Power to continue its programmes of socio-economic development of the Territory;

3. *Requests* the administering Power to elaborate, in consultation with the territorial Government, programmes of development specifically intended to alleviate the economic, social and environmental consequences of the closure of certain military bases and installations in the Territory;

IV. *British Virgin Islands*

Noting the completion of the constitutional review in the Territory and the coming into force of the amended Constitution, and noting also the results of the general elections held on 20 February 1995,

Noting also the results of the constitutional review of 1993-1994, which made it clear that a prerequisite to independence must be a constitutionally expressed wish by the people as a result of a referendum,

Taking note of the statement made in 1995 by the Chief Minister of the British Virgin Islands that the Territory was ready for constitutional and political advancement towards full internal self-government and that the administering Power should assist through the gradual transfer of power to elected territorial representatives,

Noting that the Territory is emerging as one of the world's leading offshore financial centres,

Noting also the need for continued cooperation between the administering Power and the territorial Government in countering drug trafficking and money laundering,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. *Requests* the administering Power, the specialized agencies and other organizations of the United Nations system and all financial institutions to continue to provide assistance to the Territory for socio-economic development and the development of human resources, bearing in mind the vulnerability of the Territory to external factors;

V. *Cayman Islands*

Noting the constitutional review of 1992-1993, according to which the population of the Cayman Islands expressed the sentiment that the existing relations with the United Kingdom of Great Britain and Northern Ireland should be maintained and that the current status of the Territory should not be altered,

Aware that the Territory has one of the highest per capita incomes in the region, a stable political climate and virtually no unemployment,

Noting the actions taken by the territorial Government to implement its localization programme to promote increased participation of the local population in the decision-making process in the Cayman Islands,

Noting with concern the vulnerability of the Territory to drug trafficking, money laundering and related activities,

Noting the measures taken by the authorities to deal with those problems,

Noting also that the Territory has emerged as one of the world's leading offshore financial centres,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. *Requests* the administering Power, the specialized agencies and other organizations of the United Nations system to continue to provide the territorial Government with all required expertise to enable it to achieve its socio-economic aims;

3. *Calls upon* the administering Power and the territorial Government to continue to cooperate to counter problems related to money laundering, smuggling of funds and other related crimes, as well as drug trafficking;

4. *Requests* the administering Power, in consultation with the territorial Government, to continue to facilitate the expansion of the current programme of securing employment for the local population, in particular at the decision-making level;

VI. *Guam*

Noting with interest the statement made and the information on the political and economic situation in Guam provided by the representative of the Territory to the Caribbean regional seminar, held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997,[89]

Recalling that, in a referendum held in 1987, the people of Guam endorsed a draft Guam Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power, providing for internal self-government for Guam and recognition of the right of the people of Guam to self-determination for the Territory,

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[89] See A/AC.109/2089.

Recalling also the requests by the elected representatives and non-governmental organizations of the Territory that Guam not be removed from the list of the Non-Self-Governing Territories with which the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples is concerned, pending the expression of the will of the Chamorro people and taking into account their legitimate rights and interests,

Aware of the continued negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act and on the future status of the Territory, with particular emphasis on the question of the evolution of the relationship between the United States of America and Guam,

Cognizant that the administering Power continues to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

Conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

Aware of the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture and other viable activities,

Taking note of the proposed closing and realigning of four United States Navy installations on Guam and the request for the establishment of a transition period to develop some of the closed facilities as commercial enterprises,

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory, and noting the recommendation of the 1996 Pacific regional seminar for sending a visiting mission to Guam,[90]

1. *Calls upon* the administering Power to take into consideration the expressed will of the Chamorro people as endorsed by the people of Guam, encourages the administering Power and the territorial Government of Guam to continue the negotiations on this matter, and requests the administering Power to inform the Secretary-General of progress to this end;

2. *Requests* the administering Power to continue to assist the elected territorial Government in achieving its political, economic and social goals;

3. *Also requests* the administering Power, in cooperation with the territorial Government, to continue the orderly transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

4. *Further requests* the administering Power to continue to recognize and respect the political rights and the cultural and ethnic identity of the people of Guam, including the Chamorro people, and to take all necessary measures to respond to the concerns of the territorial Government with regard to the immigration issue;

5. *Requests* the administering Power to cooperate in establishing programmes specifically intended to promote the sustainable development of economic activities and enterprises by the people of Guam, including the Chamorro people;

6. *Also requests* the administering Power to continue to support appropriate measures by the territorial Government aimed at promoting growth in commercial fishing and agriculture and other viable activities;

VII. *Montserrat*

Noting with interest the statements made and the information on the political and economic situation in Montserrat provided by the elected representatives of the Territory to the Caribbean regional seminar, held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997,[89]

Noting that the last visiting mission took place in 1982,

Noting also the functioning of a democratic process in Montserrat, and that general elections were held in the Territory in November 1996,

Taking note of the reported statement of the Chief Minister that his preference was for independence within a political union with the Organization of Eastern Caribbean States and that self-reliance was more of a priority than independence,

Noting with concern the dire consequences of a volcanic eruption which led to the evacuation of a third of the Territory's population to safe areas of the island and which continues to have a negative impact upon the economy of the island,

Noting the efforts of the administering Power and the Government of the Territory to meet the emergency situation caused by the volcanic eruption, including the implementation of a wide range of contingency measures for both the private and the public sectors in Montserrat,

Noting also the coordinated response measures taken by the United Nations Development Programme and the assistance of the United Nations disaster management team,

Noting with deep concern that a substantial number of the inhabitants of the Territory continue to live in shelters because of volcanic activity,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

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[90] See A/AC.109/2058, para. 33(20).

2. *Calls upon* the administering Power, the specialized agencies and other organizations of the United Nations system as well as regional and other organizations to provide urgent emergency assistance to the Territory in alleviating the consequences of the volcanic eruption;

VIII. *Pitcairn*

Taking into account the unique nature of Pitcairn in terms of population and area,

Expressing its satisfaction with the continued economic and social advancement of the Territory, as well as with the improvement of its communications with the outside world and its management plan to address conservation issues,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. *Also requests* the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory;

IX. *St. Helena*

Taking into account the unique character of St. Helena, its population and its natural resources,

Aware of the request by the Legislative Council of St. Helena that the administering Power conduct a constitutional review in the Territory,

Noting the statement of 1995 by the administering Power that the Governor of the island would be ready to enter into debate on a constitutional review of St. Helena,

Aware of the establishment by the Government of the Territory of the Development Agency in 1995 to encourage private sector commercial development on the island,

Also aware of the efforts of the administering Power and the territorial authorities to improve the socio-economic conditions of the population of St. Helena, in particular in the sphere of food production,

Noting with concern the problem of unemployment on the island and the joint action of the administering Power and the territorial Government to deal with it,

1. *Notes* that the administering Power has taken note of various statements made by members of the Legislative Council of St. Helena about the Constitution and is prepared to discuss them further with the people of St. Helena, and also notes that the Commonwealth Parliamentary Association recently sent a delegation to study the Constitution and its application with the Legislative Council;

2. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

3. *Requests* the administering Power and relevant regional and international organizations to continue to support the efforts of the territorial Government to address the socio-economic development of the Territory;

X. *Tokelau*

Noting with interest the statement made and the information on the political and economic situation in Tokelau provided by the representative of the Territory to the Caribbean regional seminar, held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997,[89]

Recalling the solemn declaration on the future status of Tokelau delivered by the *Ulu-o-Tokelau* (the highest authority on Tokelau) on 30 July 1994, that an act of self-determination in Tokelau is now under active consideration, together with the Constitution of a self-governing Tokelau, and that the present preference of Tokelau is for a status of free association with New Zealand,

Recalling also the emphasis placed in the solemn declaration on the terms of Tokelau's intended free association relationship with New Zealand, including the expectation that the form of help Tokelau could continue to expect from New Zealand in promoting the well-being of its people, besides its external interests, would be clearly established in the framework of that relationship,

Noting with appreciation the continuing exemplary cooperation of New Zealand as the administering Power with regard to the work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

Noting also with appreciation the collaborative contribution to the development of Tokelau by New Zealand and the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme and the International Telecommunication Union,

Recalling the dispatch in 1994 of a United Nations visiting mission to Tokelau,

Noting that, as a small island Territory, Tokelau exemplifies the situation of most remaining Non-Self-Governing Territories,

Noting also that, as a case study pointing to successful decolonization, Tokelau has wider significance for the United Nations as it seeks to complete its work in decolonization,

1. *Notes* that Tokelau remains firmly committed to the development of self-government and to an act of self-determination that would result in Tokelau assuming a status in accordance with the options on future status for Non-Self-Governing Territories contained in principle VI of the annex

to General Assembly resolution 1541 (XV) of 15 December 1960;

2. *Also notes* Tokelau's desire to move at its own pace towards an act of self-determination;

3. *Commends* Tokelau for seeking on the basis of wide consultation with its people a form of national government that reflects its unique traditions and environment, and for charting its own constitutional course;

4. *Acknowledges* the collaboration between New Zealand and Tokelau regarding the Tokelau Amendment Act 1996, which provides Tokelau's national Government with a legislative power, supplementing the executive power delegated in 1994;

5. *Also acknowledges* Tokelau's need for reassurance, given that local resources cannot adequately cover the material side of self-determination, and the ongoing responsibility of Tokelau's external partners to assist Tokelau in balancing its desire to be self-reliant to the greatest extent possible with its need for external assistance;

6. *Welcomes* the assurances of the Government of New Zealand that it will meet its obligations to the United Nations with respect to Tokelau and abide by the freely expressed wishes of the people of Tokelau with regard to their future status;

7. *Invites* the administering Power and United Nations agencies to continue their assistance to the social and economic development of Tokelau;

XI. *Turks and Caicos Islands*

Noting with interest the statements made and the information on the political and economic situation in the Turks and Caicos Islands provided by the Cabinet Minister as well as a member of the legislature from the opposition of the Territory to the Caribbean regional seminar, held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997,[89]

Noting the establishment in November 1995 of the Action Committee for Political Independence, formed by prominent political figures from different parties, and its stated goal of educating the population in the disadvantages of the present colonial status and the benefits of independence,

Noting also the efforts by the Government of the Territory to strengthen financial management in the public sector, including efforts to increase revenue,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities, as well as its problems caused by illegal immigration,

Noting the need for continued cooperation between the administering Power and the territorial Government in countering drug trafficking and money laundering,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of the wishes and aspirations of the people regarding their future political status;

2. *Invites* the administering Power to take fully into account the wishes and interests of the Government and the people of the Turks and Caicos Islands in the governance of the Territory;

3. *Calls upon* the administering Power and the relevant regional and international organizations to continue to provide assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory;

4. *Calls upon* the administering Power and the territorial Government to continue to cooperate to counter problems related to money laundering, smuggling of funds and other related crimes, as well as drug trafficking;

XII. *United States Virgin Islands*

Noting with interest the statement made and the information on the political and economic situation in the United States Virgin Islands provided by the representative of the Governor of the Territory to the Caribbean regional seminar, held at St. John's, Antigua and Barbuda, from 21 to 23 May 1997,[89]

Noting that general elections were held in November 1994,

Noting also that 27.5 per cent of the electorate participated in the referendum on the political status of the Territory held on 11 October 1993, that 80.4 per cent of those who voted supported the existing territorial status arrangements with the United States of America and that the referendum left the status issue undecided,

Noting further the continuing interest of the territorial Government in seeking associate membership in the Organization of Eastern Caribbean States, the Caribbean Community and the Association of Caribbean States,

Noting the necessity of further diversifying the Territory's economy,

Welcoming the conclusion of the discussion between the Government of the Territory and the administering Power on the question of Water Island,

Noting the efforts of the Government of the Territory to promote the Territory as an offshore financial services centre,

Noting with satisfaction the interest of the Territory in joining the United Nations International Drug Control Programme as a full participant,

Recalling the dispatch in 1977 of a United Nations visiting mission to the Territory,

1. *Requests* the administering Power, bearing in mind the views of the people of the Territory ascertained through a democratic process, to keep the Secretary-General informed of

the wishes and aspirations of the people regarding their future political status;

2. *Also requests* the administering Power to continue to assist the territorial Government in achieving its political, economic and social goals;

3. *Further requests* the administering Power to facilitate the participation of the Territory, as appropriate, in various organizations, in particular the Organization of Eastern Caribbean States and the Caribbean Community;

4. *Welcomes* the conclusion of the negotiations between the administering Power and the territorial Government on the question of Water Island.

69th plenary meeting
10 December 1997

IV. RESOLUTIONS ADOPTED ON THE REPORTS OF THE SECOND COMMITTEE

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52/179. Global partnership for development: high-level international intergovernmental consideration of financing for development

The General Assembly,

Recalling its resolutions 46/205 of 20 December 1991, 48/187 of 21 December 1993 and 50/93 of 20 December 1995, and relevant resolutions, in which it decided, *inter alia*, to consider at its fifty-second session the convening of an international conference on the financing of development,

Recalling also the Agenda for Development,[1] in which it is stated, *inter alia*, that due consideration should be given to modalities for conducting an intergovernmental dialogue on the financing of development,

Reaffirming that development is a complex multidimensional process and is one of the main priorities of the international community, for which Governments have individual and shared responsibilities,

Noting with concern the continuous decline of the official development assistance flows to developing countries, and that official development assistance remains a main source of external funding for developing countries, particularly those in Africa and the least developed countries,

Recognizing the need to further explore ways of generating new public and private financial resources to complement development efforts,

Reaffirming its resolutions 50/91 of 20 December 1995, 50/227 of 24 May 1996 and 51/166 of 16 December 1996, as well as Economic and Social Council resolution 1996/43 of 26 July 1996 on strengthening collaboration between the United Nations development system and the Bretton Woods institutions,

1. *Notes* the need for systematic, comprehensive and integrated high-level international intergovernmental consideration of financing for development, with a view to creating a broader-based partnership for development;

2. *Also notes* that various efforts have been undertaken both within and outside the United Nations system to address financing for development, and in that regard considers it important that efforts already undertaken and under way should contribute to the broader-based partnership for development;

3. *Stresses* the need for a process that will take stock of various efforts undertaken both within and outside the United Nations system on financing for development in preparing for high-level international intergovernmental consideration;

4. *Decides* to convene a resumed session of the Second Committee of the fifty-second session of the General Assembly for two days in order to solicit the views of Governments on the inputs required from a broad range of stakeholders, including actors both within and outside the United Nations system, as well as views on key elements that might be included in the consideration of the topic of financing for development, and to identify potential sources of such inputs;

5. *Requests* the Secretary-General to ensure that the reports requested at the resumed session of the fifty-second session of the General Assembly are compiled and forwarded to Governments at the fifty-third session of the General Assembly, with an index report indicating recurring themes and key elements found therein, and also requests the Secretary-General to prepare a report to be submitted at the same time on the work of the United Nations to address financing for development;

6. *Also decides* to create an ad hoc open-ended working group to work during the fifty-third session of the General Assembly in order to undertake an in-depth examination of all the inputs requested, with a view to formulating a report containing recommendations on the form, scope and agenda of the high-level international intergovernmental consideration of the topic of financing for development, which will be submitted to the General Assembly at its fifty-fourth session;

7. *Further decides* to consider at the fifty-fourth session of the General Assembly the convening, *inter alia*, of a summit, international conference, special session of the General Assembly or other appropriate high-level international intergovernmental forum on financing for development to further the global partnership for development, not later than the year 2001.

77th plenary meeting
18 December 1997

52/180. Global financial flows and their impact on the developing countries

The General Assembly,

Reaffirming its resolutions 51/166 of 16 December 1996, entitled "Global financial integration and strengthening collaboration between the United Nations and the Bretton Woods institutions", and 50/91 of 20 December 1995, entitled "Global financial integration: challenges and opportunities", as well as Economic and Social Council resolution 1996/43 of 26 July 1996 on strengthening collaboration between the United Nations development system and the Bretton Woods institutions,

Stressing that, in the context of global financial integration, global financial flows present new challenges and opportunities for the international community and should constitute a very important element of the dialogue between the United Nations system and the Bretton Woods institutions,

Expressing its concern that a number of developing countries, in the course of liberalizing their external economic and financial regimes, have become more vulnerable to the volatile fluctuations of private capital flows in international financial markets, and stressing the importance at the national level in the countries concerned of a favourable climate of private financial flows, sound macroeconomic policies and appropriate functioning of markets,

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[1] Resolution 51/240, annex.

Noting that the globalization of financial markets can generate new risks of instability, including interest rate and exchange rate fluctuations, which have the potential to aggravate the volatility of short-term capital flows and to affect adversely the international financial system, requiring all countries to pursue sound economic policies and to recognize the external economic impact of their domestic policies,

Mindful that all countries should continue their efforts to promote sustained economic growth and sustainable development, in accordance with relevant General Assembly resolutions and recent United Nations conferences, and that the major industrialized countries, which have significant weight in influencing world economic growth and the international economic environment, have important responsibilities to cooperate with developing countries so as to enhance the efforts of the developing countries to address and alleviate their major problems in the areas of finance, trade and external indebtedness,

Recognizing the potential benefits for the world economy of greater freedom of capital movements, but at the same time noting that the capital account liberalization process could put additional stress on the economies that are already straining to adjust to globalization and in that regard necessitates, *inter alia*, effective management by those economies,

Welcoming the initiatives that the Bretton Woods institutions, especially the International Monetary Fund, have taken to address the question of the volatility of capital flows so as to contribute to minimizing its potential negative impacts on all countries, in particular developing countries,

1. *Takes note* of the report of the Secretary-General entitled "Global financial integration: an update";[2]

2. *Reiterates* the need for broadening and strengthening the participation of developing countries in the international economic decision-making process;

3. *Stresses* that sound domestic macroeconomic policies of each country in regard to promoting macroeconomic stability and growth are primary elements for determining private capital flows and that the coordination of macroeconomic policies, where appropriate, and a favourable international economic environment play an important role in reinforcing their effectiveness;

4. *Recognizes* that a number of developing countries have been able to take advantage of the globalization of finance, and notes the need for the expansion of private capital flows and for broader access by developing countries to those flows, and therefore the need for the international community to assist low-income countries, especially those in Africa, in their efforts to create the enabling environment necessary to attract such flows;

5. *Notes* that a number of developing countries, among them most of the least developed countries, especially those of Africa, have not benefited from the globalization of finance and continue to be in great need of official development assistance;

6. *Recognizes* the need to explore ways to broaden appropriate enhanced cooperation and, where appropriate, coordination of macroeconomic policy among interested countries and monetary and financial authorities and institutions so as to enhance preventive consultation arrangements between such institutions as a means of promoting a stable international financial environment conducive to economic growth, particularly of developing countries, taking into account the needs of developing countries as well as situations that may have a significant impact upon the international financial system;

7. *Also recognizes* the importance of ensuring transparency and accountability at the national level to achieve policy credibility and confidence-building as well as sound regulatory and supervisory arrangements so as to strengthen the domestic financial system, and further recognizes the importance of a stable international economic environment and stability in the international monetary system;

8. *Stresses* the need for strengthened international cooperation through strengthened regional and multilateral cooperation to prevent future currency crises, which negatively affect not only developing countries but also the international financial and monetary system;

9. *Recognizes* the benefit of exchange rate stability and a stable financial environment and the potential impact on all countries of lack of stability in the foreign exchange markets, and in that regard invites the International Monetary Fund to exercise fully its mandate to sustain effective surveillance over the underlying macroeconomic policies of its member countries, in particular those countries whose economies are particularly relevant for the stability of the international monetary and financial system;

10. *Also recognizes* that an effective International Monetary Fund surveillance mechanism requires, among other elements, the regular and timely provision of reliable economic and financial data from all Fund members, and in that regard invites the Fund, within its mandate, to explore how data can be gathered from other relevant sources in order to contribute to the effectiveness of its surveillance mechanism;

11. *Takes note* of the work of the Basel Committee on Banking Supervision, notes that some developing countries participated in the work of drafting banking standards, and recognizes the need for enhanced participation of developing countries in such work;

12. *Invites* the International Monetary Fund to ensure that, in exercising its role in promoting capital account

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[2] A/52/406.

liberalization, it does so in an orderly and flexible manner so as to enable member countries to tailor capital account liberalization to the circumstances of each individual country;

13. *Requests* the Secretary-General, in close cooperation with the Bretton Woods institutions and the United Nations Conference on Trade and Development, to analyse the current trends in global financial flows, make recommendations in the *World Economic and Social Survey, 1998* and the *Trade and Development Report, 1998* on ways and means to address the volatility of those flows, including measures to help economies to become more resilient with regard to currency fluctuations, and report on the effect of those fluctuations on growth and development, in particular in developing countries;

14. *Also requests* the Secretary-General, in cooperation with the Bretton Woods institutions and the United Nations Conference on Trade and Development, to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

77th plenary meeting
18 December 1997

52/181. Unilateral economic measures as a means of political and economic coercion against developing countries

The General Assembly,

Recalling the relevant principles set forth in the Charter of the United Nations,

Reaffirming the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[3] which states, *inter alia*, that no State may use or encourage the use of unilateral economic, political or any other type of measure to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Bearing in mind the general principles governing the international trading system and trade policies for development contained in relevant resolutions, rules and provisions of the United Nations and the World Trade Organization,

Recalling its resolutions 44/215 of 22 December 1989, 46/210 of 20 December 1991, 48/168 of 21 December 1993 and 50/96 of 20 December 1995,

Gravely concerned that the use of unilateral coercive economic measures particularly adversely affects the economy and development efforts of developing countries and has a general negative impact on international economic cooperation and on worldwide efforts to move towards a non-discriminatory and open multilateral trading system,

1. *Takes note* of the report of the Secretary-General;[4]

2. *Urges* the international community to adopt urgent and effective measures to eliminate the use of unilateral coercive economic measures against developing countries which are not authorized by relevant organs of the United Nations or are inconsistent with the principles of international law as set forth in the Charter of the United Nations, and which contravene the basic principles of the multilateral trading system;

3. *Requests* the Secretary-General to continue to monitor the imposition of measures of this nature and to study the impact of such measures on the affected countries, including the impact on trade and development;

4. *Also requests* the Secretary-General to submit a report to the General Assembly at its fifty-fourth session on the implementation of the present resolution.

77th plenary meeting
18 December 1997

52/182. International trade and development

The General Assembly,

Recalling its resolutions 50/95 and 50/98 of 20 December 1995 and 51/167 of 16 December 1996, as well as relevant international agreements concerning trade, economic growth, development and interrelated issues,

Emphasizing the importance of an open, rule-based, equitable, secure, non-discriminatory, transparent and predictable multilateral trading system,

Emphasizing also that a favourable and conducive international economic and financial environment and a positive investment climate are necessary for the economic growth of the world economy, including the creation of employment, in particular for the growth and development of the developing countries, and emphasizing further that each country is responsible for its own economic policies for sustainable development,

Taking note of agreed conclusions 1997/1 of the Economic and Social Council on the theme "Fostering an enabling environment for development: financial flows, including capital flows, investment and trade",[5]

Noting that the mid-term review of the outcome of the ninth session of the United Nations Conference on Trade and Development will be held in 1998,

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[3] Resolution 2625 (XXV), annex.

[4] A/52/459.

[5] A/52/3, chap. II. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 3.*

Noting also that the second Ministerial Conference of the World Trade Organization will be held at Geneva from 18 to 20 May 1998,

I

1. *Reaffirms* the role of the United Nations Conference on Trade and Development as the focal point within the United Nations for the integrated treatment of development and interrelated issues in the areas of trade, finance, technology, investment and sustainable development;

2. *Also reaffirms* its political will and responsibility with respect to implementing the agreed commitments reached at the ninth session of the United Nations Conference on Trade and Development, held at Midrand, South Africa, in particular the document entitled "A Partnership for Growth and Development",[6] and, in this regard, welcomes the convening of a special high-level mid-term review meeting in 1998, which will contribute to the preparations for the tenth session of the Conference, to be held in Thailand in 2000;

3. *Welcomes* the efforts by the Secretary-General of the United Nations Conference on Trade and Development to build a lasting partnership for development with non-governmental actors, including through the "Partners for Development" initiative, to be held at Lyon, France, in 1998;

4. *Takes note* of the reports and the agreed conclusions of the fifteenth executive session[7] and the forty-fourth session[8] of the Trade and Development Board, and notes the important contribution that the *Trade and Development Report, 1997*, the *World Investment Report* and the *Least Developed Countries, 1997 Report* make to the work of the Board;

5. *Notes* that the Trade and Development Board recommended that the General Assembly change the name of the Intergovernmental Group of Experts on Restrictive Business Practices to the Intergovernmental Group of Experts on Competition Law and Policy and convene a fourth United Nations conference on the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices, as well as a diplomatic conference to consider and adopt a convention on arrest of ships, endorses the aforementioned change of name of the Intergovernmental Group, and stresses that the two conferences, as agreed by the Board, should be absorbed within the budget level proposed by the Secretary-General for the biennium 1998-1999;

6. *Expresses its support* for the efforts of t Secretary-General of the United Nations Conference on Tra and Development to implement fully the far-reaching refor embodied in the outcome of the ninth session of t Conference;

7. *Notes* that the United Nations Conference on Tra and Development is making increasing use of informati technology to enhance further its effectiveness, and urges t Conference to assist developing countries in fully benefiti from these new technologies;

8. *Also notes* the increasing importance a application of electronic commerce on international trade, a urges the United Nations Conference on Trade a Development, in cooperation with other relevant bodies of t United Nations system, to assist developing countries, particular the least developed countries, and in this rega further notes the needs of the countries with economies transition;

9. *Recognizes* that the United Nations Conference Trade and Development, having a comparative advantage tackling trade-related development issues, should continue facilitate the integration of developing countries and countr with economies in transition into the international tradi system, in a complementary manner with the World Tra Organization, and to promote development through trade a investment in cooperation and coordination with t International Trade Centre, relevant institutions of the Unit Nations system and other international organizations;

10. *Requests* the United Nations Conference on Tra and Development to continue, on the basis of the outcome its ninth session, to identify and analyse the implications f development of issues relevant to investment, taking ir account the interests of developing countries and bearing mind the work undertaken by other organizations;

11. *Invites* the United Nations Conference on Tra and Development to continue, *inter alia*, to follo developments in the international trading system, in particu their implications for developing countries, to identify ne opportunities arising from the implementation of the Urugu Round of multilateral trade negotiations agreements,[9] and assist developing countries to participate effectively multilateral trade negotiations;

II

12. *Welcomes* the outcome of the first Minister Conference of the World Trade Organization, held Singapore from 9 to 13 December 1996, and its adoption the Plan of Action for the Least Developed Countries;

13. *Also welcomes* the announcements by sor developed and developing countries, at the High-level Meeti

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[6] *Proceedings of the United Nations Conference on Trade and Development, Ninth Session, Midrand, Republic of South Africa, 27 April-11 May 1996, Report and Annexes* (United Nations publication, Sales No. E.97.II.D.4), part one, sect. A.

[7] See A/52/15 (Part I). For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 15*.

[8] See A/52/15 (Part II). For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 15*.

[9] See *Legal Instruments Embodying the Results of the Uruguay Rou of Multilateral Trade Negotiations, done at Marrakesh on 15 Ap 1994* (GATT secretariat publication, Sales No. GATT/1994-7).

on Integrated Initiatives for Least Developed Countries' Trade Development, of new or additional measures on market access for the least developed countries, and recommends that a full report on the outcome of and follow-up to the Meeting be submitted to the Ministerial Conference of the World Trade Organization in May 1998;

14. *Recognizes* the importance of open regional economic integration in the creation of new opportunities for expanding trade and investment, and stresses the importance of those initiatives being in conformity with World Trade Organization rules, where applicable;

15. *Stresses* that, in the context of globalization and liberalization, there is need for the full integration of developing countries, in particular the least developed countries, and of countries with economies in transition, into the world economy, through, *inter alia*, improved market access for their exports, in accordance with the multilateral trade agreements;

16. *Also stresses* in this context the need for various measures to be taken by the international community, including increased trade-related technical assistance and human and institutional capacity-building for strengthening the supply capacity of exportable goods and services of developing countries, in particular the least developed countries, with a view to their full integration into the world economy;

17. *Welcomes*, in this regard, the recognition that the movement in the direction of greater openness for developing economies should be an orderly process backed by effective policies at the international and national levels and that those policies should entail a phased approach to integration, taking into account the circumstances of individual countries;[10]

18. *Reiterates* the importance of trade liberalization in developed and developing countries and the need to continue liberalization, particularly in areas of interest to developing countries, through, *inter alia*, a substantial reduction of tariff and other barriers, and also reiterates the need for the elimination of discriminatory and protectionist practices in international trade relations, which will have the effect of improving access for the exports of developing countries, enhancing the competitiveness of their domestic industries and facilitating structural adjustment among developed economies;

19. *Stresses* that all members of the World Trade Organization should implement their commitments in respect of the Uruguay Round agreements in a full, timely, faithful and continuous manner and that all provisions of the Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations[9] should be applied effectively, taking into account the specific interests of developing countries, so as to maximize economic growth and the developmental benefits for all and, in this respect, reiterates the need for the full implementation of special and preferential treatment for developing countries in accordance with the Uruguay Round agreements;

20. *Emphasizes* the importance of the strengthening of, and the attainment of greater universality by, the international trading system and of accelerating the process directed towards accession to the World Trade Organization of developing countries and countries with economies in transition, and emphasizes the necessity for Governments members of the World Trade Organization and relevant international organizations to assist non-members of the World Trade Organization so as to facilitate their efforts, with respect to accession, in an expeditious and transparent manner on the basis of World Trade Organization rights and obligations, and for the United Nations Conference on Trade and Development to provide technical assistance, within its mandate, thereby contributing to their rapid and full integration into the multilateral trading system;

21. *Also emphasizes* that the dispute settlement mechanism of the World Trade Organization is a key element with regard to the integrity and credibility of the multilateral trading system and the full realization of the benefits anticipated from the conclusion of the Uruguay Round of multilateral trade negotiations;

22. *Deplores* any attempt to bypass or undermine multilaterally agreed procedures on the conduct of international trade by resorting to unilateral actions over and above those agreed in the Uruguay Round, and affirms that environmental and social concerns should not be used for protectionist purposes;

III

23. *Emphasizes* the need for a balanced and integrated approach to issues of environment, trade and development, and recognizes that the objective of Governments should be to ensure that trade and environmental policies are mutually supportive so as to achieve sustainable development and that, in doing so, their environmental policies and measures with a potential trade impact are not used for protectionist purposes;

24. *Encourages* the United Nations Conference on Trade and Development to continue its work on trade, environment and development, in particular its special role in promoting the integration of trade, environment and development,[11] by examining trade and environmental issues from a development perspective in cooperation with relevant bodies and international organizations, including the Commission on Sustainable Development, the United Nations Environment Programme and the World Trade Organization, as task manager for the Commission on Sustainable Development;

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[10] A/52/15 (Part II), chap. I, sect. B, agreed conclusions 440 (XLIV), para. 8. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 3*.

[11] See resolution 50/95, para. 27.

IV

25. *Reaffirms* the need to give priority to the problems facing the least developed countries, and reaffirms in particular that actions should be taken, as appropriate, to assist the least developed countries to maximize the potential opportunities and minimize the possible difficulties arising from the Uruguay Round agreements;

26. *Urges* Governments and concerned international organizations to implement fully and expeditiously the Ministerial Decision on Measures in Favour of the Least Developed Countries[9] and to apply effectively the Ministerial Decision on Measures Concerning the Possible Negative Effects of the Reform Programme on Least Developed and Net Food-importing Developing Countries,[9] as well as the recommendations adopted at the High-level Intergovernmental Meeting on the Mid-term Global Review of the Implementation of the Programme of Action for the Least Developed Countries for the 1990s[12] and at the ninth session of the United Nations Conference on Trade and Development, as they relate to trade and trade-related issues of concern to the least developed countries;

27. *Requests* Governments, organs, organizations and bodies of the United Nations system and intergovernmental and non-governmental organizations to take concrete measures to implement fully and as a matter of urgency the United Nations New Agenda for the Development of Africa in the 1990s,[13] including the measures and recommendations agreed upon at its mid-term review, especially those related to trade and development;

28. *Welcomes* the adoption of an integrated framework for trade-related technical assistance at the High-level Meeting on Integrated Initiatives for Least Developed Countries' Trade Development, convened by the World Trade Organization at Geneva on 27 and 28 October 1997, and invites the United Nations Conference on Trade and Development to enhance further the effectiveness and efficiency of its trade-related technical assistance activities for the least developed countries in collaboration with the World Trade Organization, the International Trade Centre, the United Nations Development Programme, the World Bank and the International Monetary Fund;

29. *Invites* the United Nations Conference on Trade and Development, the World Bank and the United Nations Development Programme to improve collaboration between the country-level programmes of the Conference for the least developed countries and the overall macroeconomic and sectoral policy dialogue in respect of those countries at the World Bank Consultative Group and United Nations Development Programme round-table meetings, bearing in mind General Assembly resolution 50/120 of 20 December 1995;

30. *Stresses* the need to give special attention, within the context of international cooperation on trade and development issues, to the implementation of the many international development commitments geared to meeting the special development needs and problems of small island developing States and of landlocked developing States, and to recognize that developing countries that provide transit services need adequate support in maintaining and improving their transit infrastructure;

31. *Invites* preference-giving countries to continue to improve and renew their Generalized System of Preferences schemes in keeping with the post-Uruguay Round trading system and with the objective of integrating developing countries, especially the least developed countries, into the international trading system, and stresses that ways and means should be found to ensure more effective utilization of those schemes, particularly by the least developed countries;

32. *Notes* the concern among the beneficiaries that the enlargement of the scope of the Generalized System of Preferences, by linking eligibility to non-trade considerations, may detract value from its original principles, namely, non-discrimination, universality, burden sharing and non-reciprocity;

33. *Stresses* the need for increased and more effective participation by developing countries in rule-making and standard-setting activities in the context of the international trading system;

34. *Welcomes* the successful outcome of the South-South Conference on Trade, Investment and Finance, held at San José, Costa Rica, from 13 to 15 January 1997, and stresses the need by all concerned to ensure, with the support of the international community, effective follow-up to its Declaration and Plan of Action[14] which recognized, *inter alia*, the importance of international trade as an unprecedented engine of growth for developing countries, the opportunities and challenges of globalization and liberalization, the need for the complete integration of the developing countries into the world economy and the international trading system, and the need to address the continued marginalization of the least developed countries in the world economy;

35. *Requests* the Secretary-General, in collaboration with the secretariat of the United Nations Conference on Trade and Development, to report to the General Assembly at its fifty-third session on recommendations for effective follow-up to the relevant sections of agreed conclusions 1997/1 of the Economic and Social Council;[5]

36. *Also requests* the Secretary-General, in collaboration with the secretariat of the United Nations Conference on Trade and Development, to report orally to the General Assembly at its fifty-third session on the

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[12] See A/50/745.

[13] Resolution 46/151, annex, sect. II.

[14] A/C.2/52/8, annex.

implementation of the present resolution, including developments in the multilateral trading system.

77th plenary meeting
18 December 1997

52/183. Specific actions related to the particular needs and problems of landlocked developing countries

The General Assembly,

Recalling the provisions of its resolutions 44/214 of 22 December 1989, 46/212 of 20 December 1991, 48/169 of 21 December 1993 and 50/97 of 20 December 1995, as well as the relevant parts of the Agenda for Development,[15]

Recognizing that the lack of territorial access to the sea, aggravated by remoteness and isolation from world markets, and prohibitive transit costs and risks impose serious constraints on the overall socio-economic development efforts of the landlocked developing countries,

Recognizing also that sixteen of the landlocked developing countries are also classified by the United Nations as least developed countries and that their geographical situation is an added constraint on their overall ability to cope with the challenges of development,

Recognizing further that most transit countries are themselves developing countries facing serious economic problems, including the lack of adequate infrastructure in the transport sector,

Recalling that measures to deal with the transit problems of landlocked developing countries require closer and even more effective cooperation and collaboration between those countries and their transit neighbours,

Noting the importance of strengthening, and in this respect recognizing the important role played by, bilateral cooperative arrangements and subregional cooperation and integration, as well as the activities of the regional commissions, in alleviating the transit problems of the landlocked developing countries and improving the transit transport systems in landlocked and transit developing countries,

Noting also the importance of strengthening the existing international support measures with a view to addressing further the problems of landlocked developing countries,

Noting further the holding of the third Meeting of Governmental Experts from Landlocked and Transit Developing Countries and Representatives of Donor Countries and Financial and Development Institutions, in New York from 18 to 20 June 1997,

Welcoming the holding of the first North-East Asia Subregional Consultative Meeting of Landlocked and Transit Countries on transit transport cooperation, held at Ulaanbaatar from 20 to 22 May 1997 under the auspices of the United Nations Development Programme Special Unit for Technical Cooperation among Developing Countries and the United Nations Conference on Trade and Development,

1. *Welcomes* the note by the Secretary-General transmitting the progress report of the secretariat of the United Nations Conference on Trade and Development on specific actions related to the particular needs and problems of landlocked developing countries;[16]

2. *Reaffirms* the right of access of landlocked developing countries to and from the sea and freedom of transit through the territory of transit States by all means of transport, in accordance with international law;

3. *Also reaffirms* that transit developing countries, in the exercise of their full sovereignty over their territory, have the right to take all measures necessary to ensure that the rights and facilities provided for landlocked developing countries in no way infringe upon their legitimate interests;

4. *Calls upon* landlocked developing countries and their transit neighbours to implement measures to strengthen further their cooperative and collaborative efforts, including bilateral cooperation, in dealing with transit issues, *inter alia*, by improving the transit transport infrastructure facilities and bilateral and subregional agreements to govern transit transport operations, developing joint ventures in the area of transit transport and strengthening institutions and human resources dealing with transit transport, and, in this respect, notes that South-South cooperation also plays an important role in this field;

5. *Appeals once again* to all States, international organizations and financial institutions to implement, as a matter of urgency and priority, the specific actions related to the particular needs and problems of landlocked developing countries agreed upon in the resolutions and declarations adopted by the General Assembly and the outcomes of recent major United Nations conferences relevant to landlocked developing countries, as well as in the Global Framework for Transit Transport Cooperation between Landlocked and Transit Developing Countries and the Donor Community;[17]

6. *Takes note* of the agreed conclusions and recommendations and proposals for future action adopted at the third Meeting of Governmental Experts from Landlocked and Transit Developing Countries and Representatives of Donor Countries and Financial and Development Institutions;[18]

7. *Welcomes* the Ulaanbaatar Memorandum of Understanding adopted at the first North-East Asia Subregional Consultative Meeting of Landlocked and Transit Countries on transit transport cooperation;

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[15] Resolution 51/240, annex.

[16] A/52/329, annex.

[17] TD/B/42(1)/11-TD/B/LDC/AC.1/7, annex I.

[18] See TD/B/44/7-TD/B/LDC/AC.1/11.

8. *Also welcomes* the continuing efforts being made by the Secretary-General of the United Nations Conference on Trade and Development, in collaboration with donor countries and institutions, in particular the United Nations Development Programme, the regional commissions and relevant subregional institutions, to organize specific consultative groups, as appropriate, when requested by the landlocked and transit developing countries concerned, to identify priority areas for action at the national and subregional levels and draw up action programmes;

9. *Emphasizes* that assistance for the improvement of transit transport facilities and services should be integrated into the overall economic development strategies of the landlocked and transit developing countries and that donor assistance should consequently take into account the requirements for the long-term restructuring of the economies of the landlocked developing countries;

10. *Invites* donor countries, the United Nations Development Programme and multilateral financial institutions to provide landlocked and transit developing countries with appropriate financial and technical assistance in the form of grants or concessional loans for the construction, maintenance and improvement of their transport, storage and other transit-related facilities, including alternative routes and improved communications, and to promote subregional, regional and interregional projects and programmes;

11. *Requests* the Secretary-General of the United Nations to convene in 1999, within the overall level of resources for the biennium 1998-1999, another meeting of governmental experts from landlocked and transit developing countries and representatives of donor countries and financial and development institutions, including relevant regional and subregional economic organizations and commissions, to review progress in the development of transit systems, including sectoral aspects as well as transit transportation costs, with a view to exploring the possibility of formulating necessary action-oriented measures;

12. *Requests* the Secretary-General of the United Nations Conference on Trade and Development to seek voluntary contributions to ensure the participation of representatives of landlocked and transit developing countries, donor countries and financial and development institutions at the meeting referred to in paragraph 11 above;

13. *Notes with appreciation* the contribution of the United Nations Conference on Trade and Development to formulating international measures to deal with the special problems of the landlocked developing countries, and urges the Conference, *inter alia*, to keep under constant review the evolution of transit transport infrastructure facilities, institutions and services, monitor the implementation of agreed measures, including by means of a case study as necessary, collaborate in all relevant initiatives, including those of the private sector and non-governmental organizations, and serve as a focal point for cross-regional issues of landlocked developing countries;

14. *Invites* the Secretary-General of the United Nations, in consultation with the Secretary-General of the United Nations Conference on Trade and Development, to take appropriate measures for the effective implementation of the activities called for in the present resolution, and to staff and equip adequately, in accordance with the outcome of the ninth session of the Conference, the Office of the Special Coordinator for Least Developed, Landlocked and Island Developing Countries of the Conference so as to allow it to implement effectively its mandate to continue to support the landlocked developing countries;

15. *Requests* the Secretary-General of the United Nations, together with the Secretary-General of the United Nations Conference on Trade and Development, to prepare a report on the implementation of the present resolution and submit it to the Trade and Development Board and to the General Assembly at its fifty-fourth session.

77th plenary meeting
18 December 1997

52/184. Science and technology for development

The General Assembly,

Reaffirming the continuing validity of the Vienna Programme of Action on Science and Technology for Development,[19] adopted in 1979, its resolution 50/101 of 20 December 1995 and all other relevant United Nations resolutions and decisions, as well as the outcomes of United Nations major conferences concerning science and technology for development,

Taking note of the Meeting of Experts on Science and Technology of the Non-Aligned Countries held at Cartagena de Indias, Colombia, in March 1997, in the field of biological diversity,

Recognizing the importance for developing countries of having access to science and technology so as to enhance their productivity and competitiveness in the world market, and stressing the need to promote, facilitate and finance, as appropriate, access to and transfer of environmentally sound technologies and the corresponding know-how, in particular to the developing countries, on favourable terms, including concessional and preferential terms, as mutually agreed, taking into account the need to protect intellectual property rights as well as the special needs of developing countries,

Stressing, given the fact that much of the most advanced environmentally sound technology is developed and held by the private sector, that the creation of an enabling environment on the part of both developed and developing countries, including supportive economic and fiscal measures as well as a practical system of environmental regulations and compliance mechanisms, can help to stimulate private-sector investment in and transfer of environmentally sound technologies to developing countries, as affirmed by the General Assembly in paragraph 90 of the annex to its resolution S-19/2 of 28 June 1997,

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[19] *Report of the United Nations Conference on Science and Technology for Development, Vienna, 20-31 August 1979* (United Nations publication, Sales No. E.79.I.21 and corrigenda), chap. VII.

Stressing also that further efforts should be made by Governments and international development institutions to facilitate the transfer of privately owned technologies on concessional terms, as mutually agreed, to developing countries, especially least developed countries, as affirmed by the General Assembly in paragraph 90 of the annex to its resolution S-19/2,

Expressing concern over the risk of marginalization of many developing countries, in particular the least developed and the African countries, in the process of globalization, which has resulted in increased benefits from advances in science and technology,

Recognizing the importance of the efforts of developing countries in the field of science and technology for development,

Noting the proposal by the Director-General of the United Nations Educational, Scientific and Cultural Organization to convene a world science conference in 1999,

Recognizing that information technologies are important requisites for planning, development and decision-making in science and technology, and recognizing also their far-reaching implications for society,

Reaffirming that the United Nations should play an important role in the promotion of cooperation in science and technology, as one of its priorities, and in the enhancement of support and assistance to developing countries in their efforts to achieve sustainable development, and emphasizing the need to enhance the capability of the relevant United Nations organizations, including the United Nations Conference on Trade and Development, to address relevant issues in the field of science and technology,

Noting the work being undertaken by the Commission on Science and Technology for Development on its work programme for member States, especially the developing countries, and reaffirming its unique role as a global forum for examining science and technology questions, improving the understanding of science and technology policies and formulating recommendations and guidelines on science and technology matters within the United Nations system, all in relation to development, without prejudice to the Economic and Social Council review of its subsidiary bodies, as initiated under General Assembly resolution 50/227 of 24 May 1996, bearing in mind other relevant Assembly resolutions,

Recognizing the need for adequate resources to be devoted to fostering science and technology for development,

Recognizing also the need for Governments and regional and international bodies to take measures to ensure women better access to and participation in scientific and technological areas, especially where they are not represented or are underrepresented,

Taking note of the report of the Secretary-General entitled "Macroeconomic policy questions: science and technology for development",[20]

1. *Reaffirms* Economic and Social Council decision 1997/306 of 25 July 1997, in which the Council approved the provisional agenda for the fourth session of the Commission on Science and Technology for Development on the basis of the report of the Commission on its third session;[21]

2. *Recognizes* the ongoing work of the Commission on Science and Technology for Development, emphasizes the importance of the activities that are to be pursued within the framework of the Commission, including a broad spectrum of new global challenges in science and technology, encourages support to those undertakings and, in that regard, reaffirms that the substantive theme for the inter-sessional period 1997-1999 of the Commission will be "Science and technology partnerships and networking for national capacity-building";

3. *Reaffirms* that capacity-building in science and technology in developing countries should remain a priority issue on the United Nations agenda, and urges that international cooperation efforts be intensified and strengthened towards endogenous capacity-building of developing countries in science and technology, including their capacity to utilize scientific and technological developments from abroad as well as to modify and adapt them to suit local conditions;

4. *Also recognizes* the role of Governments in science and technology for development, in particular in providing appropriate regulatory frameworks and incentives for the development of science and technology capabilities;

5. *Further recognizes* the role of the private sector in science and technology for development, in particular in the transfer and development of science and technology capabilities;

6. *Stresses* the need to strengthen the important role of the United Nations in the field of science and technology as a cross-cutting concern within the work of the United Nations, particularly through effective policy guidance and better coordination, including international cooperation in technology assessment, monitoring and forecasting, as well as in the area of information and communication technologies, and in providing an environment conducive to the development of new environmentally sound technologies, and calls upon the organizations, funds and programmes of the United Nations to continue to work in a coordinated and expeditious manner to develop a catalogue of proved technologies to enable effective technology choice, by developing countries, of state-of-the-art technologies;

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[20] A/52/320.

[21] *Official Records of the Economic and Social Council, 1997, Supplement No. 11* (E/1997/31).

7. *Reaffirms* the need to fulfil the commitments on the provision of financial resources and transfer of technology contained in chapter 34 of Agenda 21,[22] the outcome of the nineteenth special session of the General Assembly and the Agenda for Development;[23]

8. *Also reaffirms* the need for adequate financial resources on a continuous and assured basis to foster science and technology for development, in particular to promote endogenous capacity-building in developing countries in accordance with their priorities;

9. *Stresses* that the current forms of cooperation involving the public and private sectors of developing and developed countries should be built upon and expanded, and, in that context, also stresses the importance of identifying barriers and restrictions to the transfer of publicly and privately owned technologies, as affirmed by the General Assembly in paragraph 88 of the annex to its resolution S-19/2 as well as other relevant General Assembly resolutions and decisions, with a view to reducing such constraints while creating specific incentives, fiscal and otherwise, for the transfer of such technologies;

10. *Recognizes* the importance of cooperation among developing countries in the field of science and technology, building on their complementarities, and the need for further advancing such cooperation through the establishment or strengthening of national technology and information centres in developing countries and networking on subregional, regional, interregional and global levels to promote technology research, training and dissemination as well as joint projects in developing countries, and urges the organizations and bodies of the United Nations system and other relevant international, regional and subregional organizations and programmes to provide continued and enhanced support through technical assistance and financing for such efforts;

11. *Reiterates* the affirmation of the General Assembly, as set forth in paragraph 93 of the annex to its resolution S-19/2, that the creation of centres for the transfer of technology at various levels, including the regional level, could greatly contribute to achieving the objective of transfer of environmentally sound technologies to developing countries and that, for that purpose, existing United Nations bodies and mechanisms, including, as appropriate, mechanisms for technical and environmental cooperation among developing countries, the Centre for Science and Technology for Development, the United Nations Conference on Trade and Development, the United Nations Industrial Development Organization, the United Nations Environment Programme and the regional commissions, should cooperate;

12. *Invites* the relevant bodies of the United Nations system to assess their capability to provide assistance and promote cooperation in the area of information and communication technologies, and to suggest areas in which they are best able to assist interested countries, in particular the developing countries, in the design and implementation of national strategies on such technologies;

13. *Requests* the Secretary-General to submit to the General Assembly at its fifty-fourth session a report on the progress made in the implementation of the present resolution.

77th plenary meeting
18 December 1997

52/185. Enhancing international cooperation towards a durable solution to the external debt problem of developing countries

The General Assembly,

Recalling its resolutions 48/165 of 21 December 1993 and 50/92 of 20 December 1995, the relevant provisions of the report of the Ad Hoc Committee of the Whole of the General Assembly for the Mid-term Review of the Implementation of the United Nations New Agenda for the Development of Africa in the 1990s,[24] and the Agenda for Development,[25] as well as the results, as agreed, of all major United Nations conferences and summit meetings held since the beginning of the 1990s,

Recalling also its resolution 51/164 of 16 December 1996 on enhancing international cooperation towards a durable solution to the external debt problem of developing countries,

Reaffirming the urgent need for effective, equitable, development-oriented and durable solutions to the external debt and debt-servicing problems of developing countries and to help them to exit from the rescheduling process,

Noting that developing countries have undertaken stabilization and structural adjustment programmes that benefit those countries but also involve social costs,

Emphasizing the importance for debtor countries of continuing to pursue and intensify their efforts with respect to economic reform and stabilization and structural adjustment programmes to raise domestic savings and investments, take full advantage of market access opportunities where available, reduce inflation and improve economic efficiency, taking into account the need to address the social aspects of development, including the eradication of poverty as well as the vulnerability of the poorer strata of their populations,

Noting the improvement in the debt situation of a number of developing countries since the second half of the 1980s and the contribution that the evolving debt strategy has made to this improvement, noting with appreciation the debt-relief measures taken by creditor countries both within the framework of the Paris Club and through their cancellation and equivalent relief of bilateral official debt, and welcoming the even more favourable debt-relief measures taken by the Paris Club on the basis of the Naples terms of December 1994,

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[22] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[23] Resolution 51/240, annex.

[24] *Official Records of the General Assembly, Fifty-first Session, Supplement No. 48* (A/51/48).

[25] Resolution 51/240, annex.

Welcoming the admission of the Russian Federation to the Paris Club,

Stressing the need for a full, swift implementation of those initiatives, which will further assist developing countries, in particular the poorest and heavily indebted countries, especially in Africa, in their efforts to improve their debt situation in view of their continued very high level of total debt stock and servicing burdens,

Noting with concern the continuing debt and debt-servicing problems of indebted developing countries as constituting an element adversely affecting their development efforts and economic growth, and stressing the importance of alleviating the onerous debt and debt-service burdens connected with the various types of debt of many developing countries, on the basis of an effective, equitable, development-oriented and durable approach and, where appropriate, addressing the full stock of debt of the poorest and most indebted developing countries as a matter of priority,

Noting that the developing countries that have continued, at great cost to themselves, to meet their international debt and debt-service obligations in a timely fashion have done so despite serious external and domestic financial constraints,

Expressing concern that despite the debt-relief measures taken so far, those measures have not yet fully provided effective, equitable, development-oriented and durable solutions to the outstanding debt and debt-servicing problems of a large number of developing countries, in particular the poorest and heavily indebted countries, which continue to face serious debt problems,

Noting the situation in some creditor countries with economies in transition in addressing the external debt and debt-servicing problems of developing countries,

Stressing the need for continuing global economic growth and the necessity for a continuing supportive international economic environment with regard to, *inter alia*, terms of trade, commodity prices, improved market access, trade practices, access to technology, exchange rates and international interest rates, and noting the continued need for resources for the sustained economic growth and sustainable development of the developing countries, in accordance with the relevant General Assembly resolutions and recent United Nations conferences,

Stressing also the importance of finding durable solutions to the non-Paris Club bilateral debt, which has become a serious challenge to many developing countries,

1. *Takes note* of the report of the Secretary-General on the debt situation of the developing countries as at mid-1997;[26]

2. *Recognizes* that effective, equitable, development-oriented and durable solutions to the external debt and debt-servicing problems of developing countries can contribute substantially to the strengthening of the global economy and to the efforts of developing countries to achieve sustained economic growth and sustainable development, in accordance with the relevant General Assembly resolutions and recent United Nations conferences;

3. *Notes* that further progress, including swift implementation of innovative approaches and concrete measures, is essential for contributing to effective, equitable, development-oriented and durable solutions to the external debt and debt-servicing problems of developing countries, particularly the poorest and heavily indebted countries;

4. *Also notes*, while recognizing the benefits of liberalization of international capital flows, the potential adverse impact of the volatility of short-term capital flows and exchange rates on interest rates and the debt situation of developing countries, and stresses the need for coherence in implementing policies in order to mitigate the impact of such volatility;

5. *Stresses* the importance for developing countries of continuing their efforts to promote a favourable environment for attracting foreign investment, thereby promoting economic growth and sustainable development so as to favour their exit from debt and debt-servicing problems, and also stresses the need for the international community to promote a conducive external economic environment through, *inter alia*, improved market access, stabilization of exchange rates, effective stewardship of international interest rates, increased resource flows, access to international financial markets, the flow of financial resources and improved access to technology for the developing countries;

6. *Also stresses* that the evolving debt strategy must be accompanied by a favourable and supportive international economic environment, including the full implementation of the results of the Uruguay Round of multilateral trade negotiations, and the Marrakesh ministerial decisions in favour of the least developed countries and the net food-importing developing countries;[27]

7. *Further stresses* the need for existing facilities to provide debt-relief measures through various debt conversion programmes, where possible, such as debt-equity swaps, debt-for-nature swaps, debt-for-child-development swaps and other debt-for-development swaps, to be widely implemented so that the countries concerned may be assisted in their development efforts, as well as to support measures in favour of the most vulnerable segments of the societies of those countries and to develop techniques of debt conversion applied to social

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[26] A/52/290.

[27] See *Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994* (GATT secretariat publication, Sales No. GATT/1994-7).

development programmes and projects, in conformity with the priorities of the World Summit for Social Development, held at Copenhagen in March 1995;[28]

8. *Welcomes* the steps already taken to implement the Heavily Indebted Poor Countries Debt Initiative and in this regard calls for its timely finalization and implementation so as to enable eligible countries to benefit from the Initiative;

9. *Recognizes* that the implementation of the Initiative requires additional financial resources from both bilateral and multilateral creditors without affecting the support required for development activities of developing countries and in this regard expresses its appreciation for contributions made by some bilateral donors to the Heavily Indebted Poor Countries Trust Fund of the World Bank and the Enhanced Structural Adjustment Facility/Heavily Indebted Poor Countries Trust Fund of the International Monetary Fund, and urges other bilateral donors and invites other international financial institutions that have not yet finalized mechanisms for participation in the Initiative to do so as soon as possible;

10. *Stresses* the importance of implementing the Initiative's eligibility criteria flexibly, in a transparent manner, and with the full involvement of the debtor country, and also stresses the importance of continuously evaluating and actively monitoring the implications of the existing terms of the eligibility criteria in the implementation of the Initiative, so as to ensure sufficient coverage of heavily indebted poor countries;

11. *Underlines* the importance of the transparency and involvement of debtor countries in any review and analysis that is conducted during the adjustment period;

12. *Welcomes* the implementation since 1994 by the Paris Club of the Naples terms as well as the decision to go beyond the Naples terms to provide debt reduction for eligible countries, in particular the poorest and most heavily indebted countries, and invites all other bilateral, multilateral and commercial creditors to make an appropriate and consistent contribution to the common objective of debt sustainability;

13. *Invites* creditor countries, private banks and multilateral financial institutions, within their prerogatives, to continue the initiatives and efforts to address the commercial debt problems of the least developed countries and the requests for continued mobilization of resources through the Debt-reduction Facility of the International Development Association in order to help eligible least developed countries reduce their commercial debt;

14. *Recognizes* the efforts of indebted developing countries in regard to fulfilling their commitments on debt servicing despite the high social cost incurred and, in this regard, encourages private creditors and, in particular, commercial banks to continue their initiatives and efforts to address the commercial debt problems middle-income developing countries;

15. *Stresses* the urgent need to continue to provide social safety nets to vulnerable groups most adversely affected by the implementation of economic reform programmes in debtor countries, in particular low-income groups;

16. *Notes with concern* the continuing burden of debt and debt-service obligations of middle-income developing countries, including in particular those in Africa, and encourages creditors, including multilateral financial institutions and commercial banks, to continue to support those countries in addressing these obligations effectively;

17. *Expresses strong support* for the continuation of Enhanced Structural Adjustment Facility operations, and stresses the need to find consensus regarding its funding modalities in the interim period 2001-2004, and in this regard invites the Executive Board of the International Monetary Fund to consider concrete measures in order to generate funds that can be used for this purpose;

18. *Stresses* the need for further efforts of all donors to secure adequate funding for the eleventh replenishment of the International Development Association in accordance with the agreed timetable and the need to start negotiations, at an appropriate time, for an adequate twelfth replenishment of the Association to a level commensurate with the needs of the poorest countries;

19. *Reaffirms* the Mid-term Global Review of Progress towards the Implementation of the Programme of Action for the Least Developed Countries for the 1990s,[29] in particular the appropriate actions in favour of those countries concerning their official bilateral commercial and multilateral debt;

20. *Stresses* the need for new financial flows to debtor developing countries from all sources, in addition to debt-relief measures that include debt and debt-service reduction, and urges creditor countries and multilateral financial institutions to continue to extend concessional financial assistance, particularly to the least developed countries, in order to support the implementation of economic reforms and stabilization and structural adjustment programmes by the developing countries that will enable them to extricate themselves from the debt overhang and attract new investment and to assist them in achieving sustained economic growth and sustainable development, in accordance with the relevant General Assembly resolutions and recent United Nations conferences, and the eradication of poverty;

21. *Calls upon* the international community, including the United Nations system, and invites the Bretton Woods institutions, as well as the private sector, to take appropriate measures and action for the implementation of the commitments, agreements and decisions of the major United Nations conferences and summits organized since the

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[28] See *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8).

[29] Resolution 50/103, annex.

beginning of the 1990s on development related to the question of external debt;

22. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

77th plenary meeting
18 December 1997

52/186. Renewal of the dialogue on strengthening international economic cooperation for development through partnership

The General Assembly,

Recalling its resolutions 48/165 of 21 December 1993, 49/95 of 19 December 1994, 50/122 of 20 December 1995 and 51/174 of 16 December 1996,

Noting the adoption of the Agenda for Development[30] and the relevant provisions on its follow-up and implementation, and the need to give impetus to international economic cooperation for development so as to effectively follow up on the Agenda,

Taking note of the report of the Secretary-General entitled "Sustainable development and international economic cooperation: renewal of the dialogue on strengthening international economic cooperation for development through partnership",[31]

1. *Reaffirms* the continued need to strengthen constructive dialogue and genuine partnership in order to promote further international economic cooperation for development;

2. *Also reaffirms* that such a dialogue should be conducted in response to the imperatives of mutual interests and benefits, genuine interdependence, shared responsibility and the partnership for achieving sustained economic growth and sustainable development, in accordance with the relevant General Assembly resolutions and recent United Nations conferences, as well as for improving the international economic environment that is conducive to such development, and that the United Nations system should reinforce its activities in order to facilitate such a dialogue;

3. *Requests* the President of the General Assembly to begin consultations with Member States so as to arrive at an early decision on the modalities, focus of the discussion and date of the two-day high-level dialogue on the theme of the social and economic impact of globalization and interdependence and their policy implications, to be held at an appropriate time conducive to maintaining the entity and character of the two-day high-level dialogue;

4. *Invites* Governments to contribute their views to the high-level dialogue, including its preparation, and encourages them to participate in the dialogue;

5. *Requests* the Secretary-General, in close cooperation with Governments, all relevant parts of the United Nations system, relevant intergovernmental organizations and other development actors, to initiate preparations for such a dialogue;

6. *Recognizes* the need to work out modalities and themes for future high-level dialogues, building on the experience of the high-level dialogue and, in this context, invites Member States to provide inputs to this process;

7. *Decides* to include in the provisional agenda of its fifty-third session, under the appropriate item, the sub-item entitled "Renewal of the dialogue on strengthening international economic cooperation for development through partnership".

77th plenary meeting
18 December 1997

52/187. Implementation of the Programme of Action for the Least Developed Countries for the 1990s

The General Assembly,

Recalling its resolution 45/206 of 21 December 1990, in which it endorsed the Programme of Action for the Least Developed Countries for the 1990s,[32] and its resolution 48/171 of 21 December 1993, in which it decided to convene a high-level intergovernmental meeting to conduct a mid-term global review,

Recalling also its resolution 50/103 of 20 December 1995, in which it recalled that at the end of the decade, a global review and appraisal of the implementation of the Programme of Action would be carried out, in accordance with paragraph 140 of the Programme of Action and paragraph 7 (*c*) of its resolution 45/206,

Taking note of *The Least Developed Countries, 1997 Report*, prepared by the United Nations Conference on Trade and Development,[33] and the report of the Secretary-General on implementation of the Programme of Action,[34] which highlights the main developmental difficulties the least developed countries continue to face,

Recognizing that the significant policy reform efforts undertaken by the least developed countries, which in many cases have been wide-ranging and difficult to implement, should be pursued further and that structural adjustment poses real challenges and resource issues for those countries, and, in this context, encouraging the international community to support these further reform efforts by the least developed countries, including helping to minimize any social cost of adjustments,

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[30] See resolution 51/240.

[31] A/52/425.

[32] See *Report of the Second United Nations Conference on the Least Developed Countries, Paris, 3-14 September 1990* (A/CONF.147/18), part one.

[33] United Nations publication, Sales No. E.97.II.D.6.

[34] A/52/279.

Noting with concern the reduced flow of development resources to the least developed countries, the resulting need to accord them priority in the allocation of concessional resources and their continued marginalization in world trade, as well as the fact that many least developed countries face serious debt problems and more than half are considered debt-distressed,

Taking note of the outcome of the Trade and Development Board at its forty-fourth session on the item relating to the annual review of progress in the implementation of the Programme of Action,[35] including its agreed conclusions and its recommendation to the General Assembly to consider at its fifty-second session the convening of a third United Nations conference on the least developed countries, its preparatory process, and the designation of the United Nations Conference on Trade and Development as the focal point for the preparation of the conference,

1. *Decides*:

(*a*) To convene the Third United Nations Conference on the Least Developed Countries at a high level in the year 2001. The mandate of the Conference will be the following:

(i) To assess the results of the Programme of Action during the 1990s at the country level;

(ii) To review the implementation of international support measures, particularly in the areas of official development assistance, debt, investment and trade;

(iii) To consider the formulation and adoption of appropriate national and international policies and measures for sustainable development of the least developed countries and their progressive integration into the world economy;

(*b*) To convene an intergovernmental preparatory committee in due time to prepare for the Conference. That meeting would be preceded by three expert-level preparatory meetings, two in Africa, one of which would include the Americas, and one in Asia and the Pacific. These preparatory activities should be carried out within the budget level proposed by the Secretary-General for the biennium 1998-1999;

2. *Also decides* that the United Nations Conference on Trade and Development will be the focal point for the preparation of the Conference;

3. *Requests* the Secretary-General of the United Nations Conference on Trade and Development to include in future issues of the annual report on the least developed countries substantive contributions to the Conference and its preparatory process;

4. *Decides* to include in the provisional agenda of its fifty-third session the sub-item entitled "Implementation of the Programme of Action for the Least Developed Countries for the 1990s" and to consider, *inter alia*, the date, duration and venue of the Conference, its preparatory process and the funding for participation of representatives from each least developed country, both at the preparatory committee meeting and at the Conference itself, from extrabudgetary resources;

5. *Requests* the Secretary-General to submit to it at its fifty-third session a report on issues relevant to this item.

77th plenary meeting
18 December 1997

52/188. Population and development

The General Assembly,

Recalling its resolutions 49/128 of 19 December 1994, 50/124 of 20 December 1995 and 51/176 of 16 December 1996 on the implementation of the Programme of Action of the International Conference on Population and Development,[36]

Taking note of Economic and Social Council resolution 1997/42 of 22 July 1997, in which the Council recommended that the General Assembly, at its fifty-second session, decide on the process and modalities, including the possibility of convening a special session of the Assembly in 1999, for reviewing and appraising the implementation of the Programme of Action of the International Conference on Population and Development,

Stressing the need to pursue further the implementation of the Programme of Action and for Governments to recommit themselves at the highest political level to achieving its goals and objectives,

Recognizing the important contributions made by actors of civil society, particularly non-governmental organizations, to the Conference, its follow-up and the implementation of its Programme of Action,

1. *Takes note* of the report of the Secretary-General concerning the process and modalities for the review and appraisal of the implementation of the Programme of Action of the International Conference on Population and Development;[37]

2. *Decides* to convene a special session for a duration of three days from 30 June to 2 July 1999, at the highest possible level of participation, in order to review and appraise the implementation of the Programme of Action of the International Conference on Population and Development;

3. *Reaffirms* that the special session for the overall review and appraisal of the implementation of the Programme of Action will be undertaken on the basis of and with full

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[35] See A/52/15 (Part II), sect. II.C. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 15*.

[36] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[37] A/52/208/Add.1.

respect for the Programme of Action, and that there will be no renegotiation of the existing agreements contained therein;

4. *Welcomes* the operational review of the implementation of the Programme of Action to be undertaken under the auspices of the United Nations Population Fund, in cooperation with all relevant organizations of the United Nations system and other relevant international organizations, and notes that the report and outcome of the international forum in 1999 will be submitted to the Commission on Population and Development at its thirty-second session and to the Executive Board of the United Nations Development Programme/United Nations Population Fund;

5. *Decides* that the Commission on Population and Development, which is currently scheduled to consider at its thirty-second session a comprehensive report of the Secretary-General on the outcome of the quinquennial review and appraisal of the implementation of the Programme of Action, should serve as the preparatory body for the final preparations for the special session for the overall review and appraisal of the implementation of the Programme of Action, reporting through the Economic and Social Council, and in that regard notes that the comprehensive report of the Secretary-General should also contain an overall assessment of the progress achieved and constraints faced in the implementation of the Programme of Action, as well as recommendations for future action;

6. *Encourages* Governments to undertake reviews of the progress achieved and the constraints faced therein in the implementation of the Programme of Action at all levels, particularly at the national level and at the level of international cooperation, with a view to contributing to the preparations for the special session;

7. *Invites* Governments of developed and developing countries to provide information in order to establish a useful factual basis for the review of the mobilization of resources made available - bilateral, multilateral and domestic - for population and development activities with a view to strengthening the implementation of the Programme of Action;

8. *Decides* that the thirty-second session of the Commission on Population and Development shall be open-ended to allow the full participation of all States;

9. *Invites* all other relevant organizations and bodies of the United Nations system to contribute as appropriate to the special session as well as to its preparation;

10. *Decides* to invite States members of the specialized agencies that are not members of the United Nations to participate in the work of the special session in the capacity of observers;

11. *Stresses* the need for the effective participation of actors of civil society, particularly non-governmental organizations, in preparation for the special session, as well as the need to ensure appropriate arrangements, taking into account the practice and experience gained at the International Conference on Population and Development, for their substantive contributions to and active involvement in the preparatory meetings and the special session, and in that context invites the President of the General Assembly, in consultation with Member States, to propose to Member States appropriate modalities for their effective involvement in the special session;

12. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session a progress report on the preparations for the special session;

13. *Decides* to include in the provisional agenda of its fifty-third session a sub-item entitled "Implementation of the Programme of Action of the International Conference on Population and Development".

77th plenary meeting
18 December 1997

52/189. International migration and development

The General Assembly,

Recalling the Programme of Action of the International Conference on Population and Development adopted at Cairo, in particular chapter X on international migration,[38] and the relevant provisions contained in the Copenhagen Declaration on Social Development[39] and the Programme of Action of the World Summit for Social Development[40] and in the Platform for Action[41] adopted by the Fourth World Conference on Women,

Reaffirming the continuing validity of the principles set forth in the instruments regarding the international protection of human rights, in particular the Universal Declaration of Human Rights,[42] the International Convention on the Elimination of All Forms of Racial Discrimination,[43] the Convention on the Elimination of All Forms of Discrimination against Women[44] and the Convention on the Rights of the Child,[45]

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[38] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[39] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[40] Ibid., annex II.

[41] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[42] Resolution 217 A (III).

[43] Resolution 2106 A (XX), annex.

[44] Resolution 34/180, annex.

[45] Resolution 44/25, annex.

Aware that, in spite of the existence of an already established body of principles, there is a need to make further efforts to ensure the human rights and dignity of all migrants and their families and that it is desirable to improve the situation of all documented migrants and their families,

Recalling its resolutions 49/127 of 19 December 1994 and 50/123 of 20 December 1995 on international migration and development, as well as Economic and Social Council decision 1995/313 of 27 July 1995,

Recalling also that the Economic and Social Council, in the context of its role under the Charter of the United Nations vis-à-vis the General Assembly and in accordance with Assembly resolutions 45/264 of 13 May 1991, 46/235 of 13 April 1992, 48/162 of 20 December 1994 and 50/227 of 24 May 1996, should assist the Assembly in promoting an integrated approach to the implementation of the Programme of Action in providing system-wide coordination and guidance in monitoring the implementation,

Recalling further that the General Assembly and the Economic and Social Council should carry out their respective responsibilities, as entrusted to them in the Charter, in the formulation of policies and the provision of guidance to and coordination of United Nations activities in the field of population and development,

Recognizing the importance from an analytical and operational point of view of identifying the existing linkages among the social, economic, political and cultural factors related to international migration and development and of taking appropriate steps to intensify the analysis of issues involved,

Noting in particular the need for more migration data, a coherent theory to explain international migration and a better understanding of the complex interrelationships between migration and development,[46]

Noting the role of relevant United Nations organizations in delivering adequate support to developing countries to ensure that migration contributes to development,

Noting also the critical role of the existing forums within the United Nations system in addressing the issues of international migration and development, including through the Commission on Population and Development,[47] the Commission on Human Rights,[47] the Committee for Development Planning,[47] the International Labour Organization, and other relevant key organizations,

Taking note of the recent regional and subregional conferences on international migration as an example of a Government-driven process of consultation and cooperation to address particular problems associated with international migration,

Noting that a technical symposium on international migration and development will be convened in 1998 by the Administrative Committee on Coordination at the request of the Commission on Population and Development,[47] pursuant to resolution 50/123,

Recalling its resolution 51/148 of 13 December 1996 on cooperation between the United Nations and the International Organization for Migration, in particular its request therein to the Secretary-General, in consultation with the Director-General of the International Organization for Migration, to foster systematic consultations on matters of common interest,

1. *Takes note* of the report of the Secretary-General;[48]

2. *Urges* Member States and the United Nations system to strengthen international cooperation in the area of international migration and development in order to address the root causes of migration, especially those related to poverty, and to maximize the benefits of international migration to those concerned;

3. *Encourages*, where relevant, interregional, regional and subregional mechanisms to continue to address the question of migration and development;

4. *Calls upon* the international community to seek to make the option of remaining in one's country viable for all people; to that end, efforts to achieve sustainable economic and social development, ensuring a better economic balance between developed and developing countries, should be strengthened;

5. *Calls upon* all relevant organs, organizations and programmes of the United Nations system and other intergovernmental, regional and subregional organizations, within their continuing mandated activities, to address the issue of international migration and development and to provide appropriate support for interregional, regional and subregional processes and activities on international migration and development;

6. *Requests* the Secretary-General to submit to the General Assembly at its fifty-fourth session a report on international migration and development, taking into account:

(*a*) The views of Member States, the International Organization for Migration, the International Labour Organization and other relevant organizations, both within and outside the United Nations system, bearing in mind various regional processes, and recommending ways and means to address the problems related to migration and development, including the possibility of convening an international conference on international migration and development;

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[46] See E/CN.9/1997/2, para. 11.

[47] Recognizing, without prejudice, the Economic and Social Council review of its subsidiary bodies, as initiated under General Assembly resolution 50/227, bearing in mind other relevant Assembly resolutions.

[48] A/52/314.

(*b*) The report of the technical symposium on international migration and development which will be convened in 1998;

(*c*) The report of the Committee for Development Planning[47] on its examination of the issue of migration and development;

(*d*) The work of the Administrative Committee on Coordination which addresses the issue of international migration and development from cross-sectoral, interregional, regional and subregional points of view;

7. *Decides* to include in the provisional agenda of its fifty-fourth session a sub-item entitled "International migration and development, including the question of the convening of a United Nations conference on international migration and development to address migration issues".

77th plenary meeting
18 December 1997

52/190. Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II)

The General Assembly,

Recalling its resolution 51/177 of 16 December 1996, in which it endorsed the Istanbul Declaration on Human Settlements[49] and the Habitat Agenda,[50] adopted by the United Nations Conference on Human Settlements (Habitat II) at Istanbul, on 14 June 1996,

Cognizant of the importance of maintaining the momentum already generated at the national, regional and international levels for the implementation of measures designed to address the economic, social and environmental consequences of rapid urbanization,

Stressing the need to improve conditions of shelter, access to safe drinking water, adequate sanitation and basic social services in both rural and urban areas,

Recalling paragraph 218 of the Habitat Agenda, in which the Conference requested the General Assembly to consider holding a special session in the year 2001 for an overall review and appraisal of the implementation of the outcome of Habitat II, and paragraph 15 of resolution 51/177, in which the Assembly reaffirmed that a decision on the matter should be taken at its fifty-second session,

Noting the delay in the submission of the report of the Secretary-General on the final comprehensive and in-depth assessment of the United Nations Centre for Human Settlements (Habitat) with a view to its revitalization, as called for in paragraph 19 of resolution 51/177, and stressing that that has constrained consideration by the Assembly of those issues,

Recalling its resolution 51/225 of 3 April 1997, and noting with concern the report of the Office of Internal Oversight Services,[51] in which serious concern is expressed about the financial irregularities in the Centre, and recognizing that the serious management and financial situation at the Centre should be addressed as a matter of urgency,

1. *Takes note* of the reports of the Commission on Human Settlements on its sixteenth session[52] and on the implementation of the Global Strategy for Shelter to the Year 2000,[53] and the report of the Secretary-General on the implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II);[54]

2. *Requests* the Secretary-General to address urgently the serious management and financial situation at the United Nations Centre for Human Settlements (Habitat) to meet its responsibilities in the implementation of the Habitat Agenda,[50] in accordance with Commission on Human Settlements resolution 16/8;[55]

3. *Urges* the Executive Director of the United Nations Centre for Human Settlements (Habitat) to take further action towards the reform of the administrative and financial management of the Centre pursuant to the recommendations of the Office of Internal Oversight Services,[51] as well as the relevant reports of the United Nations Board of Auditors and Commission on Human Settlements resolutions 16/8 and 16/19,[55] and decisions 16/28 and 16/29;[56]

4. *Requests* the Secretary-General to submit to it at its fifty-third session the comprehensive and in-depth assessment of the Centre with a view to its revitalization called for in paragraph 19 of resolution 51/177, taking into account Commission resolution 16/8 and other relevant resolutions adopted by the Commission at its sixteenth session;

5. *Urges* all Governments and other actors concerned with human settlements and urban management issues, such as local authorities, relevant intergovernmental organizations and non-governmental organizations, parliamentarians, the private sector, trade unions, academicians and other community groups, to implement fully and effectively the Habitat Agenda;

6. *Invites* Governments to consider, where appropriate, including in their delegations to future sessions of the Commission, in accordance with the specific conditions of each country, representatives of local authorities and the relevant actors of civil society, particularly the private sector, non-governmental organizations and research organizations, in

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[49] A/CONF.165/14, chap. I, resolution 1, annex I.

[50] Ibid., annex II.

[51] A/52/339, annex.

[52] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 8* (A/52/8).

[53] Ibid., *Supplement No.8* (A/52/8/Add.1).

[54] A/52/181-E/1997/77.

[55] See *Official Records of the General Assembly, Fifty-second Session, Supplement No. 8* (A/52/8), annex I, sect. A.2.

[56] Ibid, sect. B.

the field of adequate shelter for all and sustainable human settlements development;

7. *Affirms* that, in a rapidly urbanizing world, the pivotal role of local authorities in the implementation of the Habitat Agenda should be recognized and enhanced;

8. *Requests* all relevant organizations and bodies of the United Nations system, including the regional commissions, and invites the Bretton Woods institutions, to support fully the effective implementation of the Habitat Agenda, at all levels, and to enhance their cooperation for that purpose, with a view to promoting an integrated, interrelated and coherent implementation of, and coordinated follow-up to, the outcomes of United Nations conferences;

9. *Stresses* that the full and effective implementation of the Habitat Agenda, in particular in all developing countries, especially those in Africa and the least developed countries, will require the mobilization of additional financial resources from various sources at the national and international levels and more effective development cooperation in support of national efforts in order to promote assistance for shelter and human settlements activities;

10. *Invites* all Governments and the international community to consider providing further support to the United Nations Habitat and Human Settlements Foundation in its activities, taking into account the need to continue to improve its effectiveness;

11. *Invites* the Commission on Human Settlements to promote the use of a set of key indicators to be developed further by the Centre and used by Governments, as appropriate, for national and local monitoring and evaluation of the implementation of the Habitat Agenda;

12. *Decides* to hold a special session of the General Assembly in the year 2001 for an overall review and appraisal of the implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II), the modalities of which will be decided on at its fifty-third session;

13. *Invites* the Economic and Social Council to consider devoting one high-level segment before the year 2001 to human settlements and the implementation of the Habitat Agenda;

14. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report on the implementation of the present resolution;

15. *Decides* to include in the provisional agenda of its fifty-third session the sub-item entitled "Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II)".

77th plenary meeting
18 December 1997

52/191. Global Strategy for Shelter to the Year 2000

The General Assembly,

Recalling its resolution 43/181 of 20 December 1988, in which it adopted the Global Strategy for Shelter to the Year 2000 and designated the Commission on Human Settlements as the United Nations intergovernmental body responsible for coordinating, evaluating and monitoring the Strategy, and the United Nations Centre for Human Settlements (Habitat) as the lead agency for the Strategy,

Noting that the conclusions of the mid-term review of the Strategy, conducted by the United Nations Conference on Human Settlements (Habitat II), were incorporated into the Habitat Agenda,[57]

Having considered the fifth report of the Commission on Human Settlements on the implementation of the Global Strategy for Shelter to the Year 2000,[58]

Noting with satisfaction the support given to the implementation of the Global Strategy by donor Governments, international bodies and intergovernmental and non-governmental organizations,

1. *Commends* Governments that are already revising, consolidating, formulating or implementing their national shelter strategies based on the enabling principles of the Global Strategy for Shelter to the Year 2000, as elaborated in the Habitat Agenda;[57]

2. *Urges* Governments, in connection with the implementation of their national plans of action on human settlements, to adopt or strengthen integrated national shelter strategies based on the enabling approach and sustainable development;

3. *Also urges* Governments to integrate fully the environmental dimension in the formulation and implementation of national shelter strategies, taking into account the relevant components of Agenda 21;[59]

4. *Recommends* that Governments extend the application of urban and housing indicators to cities and rural settlements for monitoring the progress of their national shelter strategy and the performance of the shelter sector, taking into account local conditions and sensitivity to gender considerations;

5. *Urges* the international community to strengthen its support for national efforts to formulate and implement enabling shelter strategies in developing countries, as recommended in Agenda 21;

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[57] A/CONF.165/14, chap. I, resolution 1, annex II.

[58] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 8* (A/52/8/Add.1).

[59] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

6. *Urges* the organizations of the United Nations system, particularly the United Nations Development Programme, and other multilateral and bilateral agencies to provide, on the basis of an approach consistent with the Global Strategy, increased financial and other support to Governments for achieving the objective of adequate shelter for all;

7. *Adopts* the plan of action for the implementation of the Global Strategy for Shelter to the Year 2000 during the biennium 1998-1999,[60] and urges Governments, relevant United Nations and private sector organizations, and intergovernmental and non-governmental organizations to prepare and implement their specific plans of action;

8. *Decides* to subsume the sixth report of the Commission on Human Settlements to the General Assembly on the implementation of the Global Strategy for Shelter to the Year 2000, as called for in Assembly resolution 43/181, under the report of the Secretary-General to the Assembly on the implementation of the Habitat Agenda, to be submitted pursuant to Assembly resolution 51/177 of 16 December 1996.

77th plenary meeting
18 December 1997

52/192. Follow-up to the United Nations Conference on Human Settlements (Habitat II) and the future role of the Commission on Human Settlements

The General Assembly,

Welcoming the outcome of the United Nations Conference on Human Settlements (Habitat II), held at Istanbul from 3 to 14 June 1996,[61]

Bearing in mind its resolutions 2718 (XXV) of 15 December 1970, 3001 (XXVII) of 15 December 1972 and 3327 (XXIX) of 16 December 1974, and in particular its resolution 32/162 of 19 December 1977, by which it decided that the Economic and Social Council should transform the Committee on Housing, Building and Planning into the Commission on Human Settlements,

Taking into account its resolutions 51/177 of 16 December 1996 on the implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and 50/227 of 24 May 1996 on further measures for the restructuring and revitalization of the United Nations in the economic, social and related fields,

Recalling that, in its resolution 51/177, the General Assembly reaffirmed that the Assembly and the Economic and Social Council, in accordance with the relevant provisions of the Charter of the United Nations and relevant resolutions, including Assembly resolutions 48/162 of 20 December 1993 and 50/227, and together with the Commission on Human Settlements, should constitute a three-tiered intergovernmental mechanism to oversee the coordination of activities for the implementation of the Habitat Agenda,[62]

Convinced that the follow-up to the United Nations Conference on Human Settlements (Habitat II) will be undertaken on the basis of an integrated approach to human settlements development and within the framework of coordinated follow-up to and implementation of the results of the major international conferences in the economic, social and related fields,

I

Framework for the functioning of the Commission

1. *Reaffirms* that the Commission on Human Settlements, as a standing committee of the Economic and Social Council, should have a central role in monitoring, within the United Nations system, the implementation of the Habitat Agenda[62] and advising the Council thereon;

2. *Calls upon* all the relevant United Nations organizations and specialized agencies to identify specific actions that they will undertake, within their mandates, towards the implementation of the Habitat Agenda, and invites them to inform the Administrative Committee on Coordination of their actions;

3. *Calls upon* the funds and programmes of the United Nations system and the regional commissions, consistent with their respective mandates, to support fully the effective implementation of the Habitat Agenda, particularly at the field level, as appropriate;

4. *Invites* the Bretton Woods institutions to consider how they might be actively involved in the implementation of and follow-up to the United Nations Conference on Human Settlements (Habitat II), and to enhance their cooperation with the United Nations system for that purpose;

5. *Decides*, in view of the importance of non-governmental organizations, local authorities, the private sector and research organizations in the promotion of human settlements development, that such organizations should be encouraged to participate in the work of the Commission, in accordance with the relevant provisions of Economic and Social Council resolution 1996/31 of 25 July 1996 on the consultative relationship between the United Nations and non-governmental organizations;

II

Terms of reference

6. *Reaffirms* the existing mandate of the Commission on Human Settlements as set out in resolution 32/162, while stressing the normative and catalytic character of the mandate;

7. *Reaffirms in particular* the responsibility of the Commission to give overall policy guidance to and to

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[60] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 8* (A/52/8/Add.1), annex.

[61] See A/CONF.165/14.

[62] Ibid., chap. I, resolution 1, annex II.

supervise the operations of the United Nations Centre for Human Settlements (Habitat), including the United Nations Habitat and Human Settlements Foundation;

8. *Takes into account* that the Commission should fulfil its mandate in line with paragraphs 222 to 227 of the Habitat Agenda and in harmony with recommendations made by the United Nations Conference on Environment and Development, particularly chapter 7 of Agenda 21;[63]

9. *Decides* that the Commission, in fulfilling its mandate, shall assist the Economic and Social Council in monitoring, reviewing and assessing the progress made in the implementation of the Habitat Agenda, *inter alia*, through the analysis of relevant inputs from Governments, local authorities and their associations, relevant non-governmental organizations and the private sector;

10. *Also decides* that the Commission shall identify issues on which system-wide coordination needs to be improved and modalities for promoting such coordination, in order to assist the Council in its coordination function;

III

Structure of the agenda and work programme of the Commission

11. *Urges* the Commission to adopt a multi-year work programme for a focused and thematic approach that would, *inter alia*, provide a framework to assess the progress achieved in the implementation of the Habitat Agenda and that would be in line with the coordinated follow-up to conferences, culminating in an overall review and appraisal of the Habitat Agenda in the year 2001;

12. *Decides* that the work of the Commission, in relation to its programme of work, shall be primarily focused on the relevant provisions of the Habitat Agenda, with a view to ensuring the effective implementation of the Habitat Agenda;

13. *Also decides* that the agenda of the Commission on Human Settlements at its future sessions shall include the following substantive items derived from the United Nations Conference on Human Settlements (Habitat II):

(*a*) Issues identified in the multi-year programme of work;

(*b*) Relevant United Nations plans and programmes of action pertaining to the themes "Sustainable human settlements development" and "Adequate shelter for all";

(*c*) Emerging issues, trends and new approaches to issues affecting human settlements development;

14. *Further decides* that, at its seventeenth and eighteenth sessions, the Commission will focus on monitoring the implementation of the Habitat Agenda and assessing its impact, structuring those sessions around the following four substantive areas of the Habitat Agenda:

(*a*) Adequate shelter for all, also incorporating the monitoring of the Global Strategy for Shelter to the Year 2000;

(*b*) Sustainable human settlements in an urbanizing world, also incorporating the monitoring of chapter 7 of Agenda 21;

(*c*) Capacity-building and institutional development;

(*d*) International cooperation and coordination;

15. *Decides* that:

(*a*) At its seventeenth session, in 1999, the Commission will address the above-mentioned substantive areas;

(*b*) At its eighteenth session, in 2001, the Commission will focus on preparations for the special session of the General Assembly, if appropriate;

(*c*) In 1998 and 2000, the United Nations Centre for Human Settlements (Habitat) will analyse the progress made on national implementation status, organized around the four above-mentioned substantive areas, and will prepare synthesized reports to be submitted for consideration by the Commission at its seventeenth and eighteenth sessions;

IV

Documentation

16. *Requests* that all United Nations documentation be kept concise, clear, analytical and timely, with a focus on relevant issues, that to the greatest extent possible use be made of integrated reporting, that reports contain recommendations for action and indicate the actors involved, that reports be made available in all official languages in accordance with the rules of the United Nations, and that the use of other methods of reporting, such as oral reports, also be explored;

V

Methods of work of the Commission

17. *Recognizes* that the methods of work of the Commission should be revitalized in order to improve the profile of the Commission and attract high-level political participation;

18. *Decides* that preparation of thematic discussions in the Commission should be broadened by:

(*a*) Inviting countries to contribute to the preparation of the sessions by, for example, organizing seminars or expert panels on issues directly related to the themes that will be discussed at a particular session, and to report thereon;

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[63] See *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions adopted by the Conference, resolution 1, annex II.

(*b*) Involving local authorities, non-governmental organizations, the private sector and other partners in the preparatory phases of Commission sessions;

19. *Also decides* that, during Commission sessions, dialogues with major groups and panel discussions may be organized, the format of which, as with all other agenda items, should be decided upon at preceding Commission sessions;

20. *Further decides* to consider organizing interactive high-level segments on key policy issues during future Commission sessions;

VI

Secretariat

21. *Urges* the Secretary-General to ensure the effective functioning of the United Nations Centre for Human Settlements (Habitat) in line with paragraph 232 of the Habitat Agenda so as to enable it to discharge its mandate fully and to serve as an efficient secretariat to the Commission, and also to ensure that clear lines of responsibility are drawn so as to facilitate the implementation of the follow-up to Habitat II and secure close cooperation at the secretariat level among all United Nations entities involved in the follow-up;

22. *Requests* the Executive Director of the United Nations Centre for Human Settlements (Habitat) to submit to the Commission on Human Settlements at future sessions a detailed report on the activities of regional offices, paying special attention to the status of implementation of the work programmes elaborated for the implementation of the Habitat Agenda in each region.

77th plenary meeting
18 December 1997

52/193. First United Nations Decade for the Eradication of Poverty

The General Assembly,

Recalling its resolutions 48/183 of 21 December 1993, 49/110 of 19 December 1994, 50/107 of 20 December 1995 and 51/178 of 16 December 1996 related to the observance of the International Year for the Eradication of Poverty (1996) and to the first United Nations Decade for the Eradication of Poverty (1997-2006), and all its other relevant resolutions relating to international cooperation for the eradication of poverty in developing countries,

Recalling also all declarations and programmes of action of the United Nations major conferences and summits organized since 1990 and the reports and publications on the outcomes of those conferences and summits as they relate to poverty eradication,

Taking note of the Programme for the Further Implementation of Agenda 21,[64] adopted by the General Assembly at its nineteenth special session for the purpose of an overall review and appraisal of the implementation of Agenda 21, the *Report on the World Social Situation, 1997*,[65] the *Human Development Report, 1997*[66] and the *Trade and Development Report, 1997*,[67]

Expressing its concern that, as underlined in the reports mentioned above, the number of people living in absolute poverty is still increasing, especially in developing countries, and that a majority of them are women,

Noting decisions, measures and activities undertaken to eradicate poverty by countries and by organizations, agencies, funds, programmes and bodies of the United Nations system, including the World Bank, as well as by non-governmental organizations and the entire civil society within the framework of the International Year for the Eradication of Poverty and the first year of the first United Nations Decade for the Eradication of Poverty,

1. *Reiterates* that the main objective of the first United Nations Decade for the Eradication of Poverty is to achieve the goal of eradicating absolute poverty and reducing overall poverty substantially in the world through decisive national actions and international cooperation in implementing fully and effectively the relevant resolutions and decisions of the United Nations and all agreements and commitments agreed upon at the United Nations major conferences and summits organized since 1990 as they relate to poverty eradication;

2. *Reaffirms* that, within the context of overall action for the eradication of poverty, special attention should be given to the multidimensional nature of poverty, to the national and international framework conditions and policies that are conducive to its eradication, which should aim at the social and economic integration of people living in poverty, and to the promotion and protection of all human rights and fundamental freedoms for all, including the right to development;

3. *Reaffirms also* that the causes of poverty should be addressed in the context of sectoral strategies, such as those on environment, food security, population, migration, health, shelter, human resources development, including education, fresh water, including clean water and sanitation, rural development and productive employment, and of the specific needs of disadvantaged and vulnerable groups, in such a way as to increase opportunities and choices of people living in poverty and enable them to build their strengths and assets so as to achieve social and economic integration;

4. *Reaffirms further* that all Governments and the United Nations system, in particular the relevant funds, programmes and agencies, should promote an active and visible policy of mainstreaming a gender perspective and use

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[64] Resolution S-19/2, annex.

[65] United Nations publication, Sales No. E.97.IV.1 and Corr.1.

[66] Published for the United Nations Development Programme by Oxford University Press, New York, 1997.

[67] United Nations publication, Sales No. E.97.II.D.8.

dimension into the planning and implementation of policies, strategies and programmes on poverty eradication;

5. *Emphasizes* that, in developing countries, rural development remains central to poverty eradication efforts, and this often includes agrarian reform, investment in infrastructure, extension of rural financial intermediation ensuring food security, better education and greater utilization of appropriate technology, ensuring fair prices to provide incentives for agricultural investment, and increasing productivity, including productivity in the informal sector;

6. *Emphasizes also* that in all countries, urban poverty should be addressed, *inter alia*, by promoting sustainable livelihoods for people living in urban poverty through the provision or expansion of access to training, education and other employment assistance services, in particular for women, youth, the unemployed and the underemployed;

7. *Decides* that, every year, the International Day for the Eradication of Poverty (17 October) should be marked by concentrating on the themes that the General Assembly chooses for that year;

8. *Renews* its recommendation that all Governments formulate or strengthen integrated poverty eradication strategies and policies and implement national poverty eradication plans or programmes in a participatory manner, to address the structural causes of poverty, encompassing action at local, national, subregional, regional and international levels, and stresses that those plans or programmes should establish, within each national context, strategies and affordable time-bound goals and targets for the substantial reduction of overall poverty and the eradication of absolute poverty;

9. *Calls upon* developed countries to reaffirm the commitments undertaken to fulfil, as soon as possible, the agreed target of 0.7 per cent of their gross national product for overall development assistance and, where agreed, within that target, to earmark 0.15 to 0.20 per cent of the gross national product for the least developed countries;

10. *Invites* the international community, including multilateral financial institutions, to implement fully and effectively all initiatives taken regarding debt relief for developing countries, including the Naples terms and the Heavily Indebted Poor Countries Debt Initiative, and to continue their efforts in this field with a view to contributing to a durable solution to the debt problems of developing countries, and encourages donors to ensure adequate financing of these mechanisms or initiatives, particularly in African countries and the least developed countries, and thus support their efforts to eradicate poverty;

11. *Takes note* of the various international microfinance initiatives launched in recent years, such as the Microcredit Summit, held in Washington, D.C., from 2 to 4 February 1997,[68] and the Consultative Group to Assist the Poorest, and invites all Governments, the United Nations system, including the Bretton Woods institutions, the relevant non-governmental organizations, the private sector and other actors of civil society to focus on the importance of increasing access to microcredit and related financial services for self-employment and income-generating activities for people living in poverty, in particular women in developing countries, particularly in Africa and the least developed countries, and to support the corresponding programmes and actions;

12. *Invites* the Executive Board of the United Nations Development Programme/United Nations Population Fund to consider extending projects under the rubric "Poverty Strategies Initiative" to all developing countries in order to make the initiative closely geared to the poverty eradication goals of the commitments adopted at the World Summit for Social Development[69] and to strengthen assistance in the elaboration of national plans, programmes and strategies to eradicate poverty, particularly in African countries and the least developed countries, and calls upon all countries to contribute to the Initiative;

13. *Calls upon* all donors to give high priority to the eradication of poverty in their assistance budgets and programmes, on both bilateral and multilateral bases, and invites the relevant funds, programmes and agencies of the United Nations system to support developing countries, particularly African countries and the least developed countries, in their efforts to achieve the overall goal of eradicating poverty and ensuring basic social services, by supporting national efforts to formulate, coordinate, implement, monitor and assess integrated poverty strategies, including capacity-building, and by supporting efforts to empower people living in poverty;

14. *Reaffirms* the importance of agreeing on a mutual commitment between interested developed and developing country partners to allocate, on average, 20 per cent of official development assistance and 20 per cent of the national budget, respectively, to basic social programmes, and recalls the outcome of the Oslo meeting which reaffirmed that promoting access for all basic social services was essential for sustainable development and should be an integral part of any strategy to overcome poverty;

15. *Requests* the Secretary-General to report to it at its fifty-third session on progress made in the implementation of measures, themes, recommendations and activities related to the first United Nations Decade for the Eradication of Poverty, including recommendations for possible actions and initiatives for the rest of the Decade, as well as proposals for better coordination of actions taken by the United Nations system;

16. *Decides* to include in the provisional agenda of its fifty-third session an item entitled "Implementation of the first United Nations Decade for the Eradication of Poverty (1997-2006)".

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[68] See A/52/113.

[69] See *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.C.

16. *Decides* to include in the provisional agenda of its fifty-third session an item entitled "Implementation of the first United Nations Decade for the Eradication of Poverty (1997-2006)".

77th plenary meeting
18 December 1997

52/194. Role of microcredit in the eradication of poverty

The General Assembly,

Taking note of the report of the Secretary-General on the observance of the International Year for the Eradication of Poverty (1996) and recommendations for the rest of the first United Nations Decade for the Eradication of Poverty (1997-2006),[70]

Recognizing that people living in poverty are innately capable of working their way out of poverty with dignity, and can demonstrate creative potentials to improve their situation when an enabling environment and the right opportunities exist,

Noting that in many countries of the world, microcredit programmes, by providing access to small amounts of capital to people living in poverty, have succeeded in generating productive self-employment,

Also noting that microcredit programmes have proved to be an effective tool in freeing people from the bondage of poverty and have led to their increasing participation in the mainstream economic and political process of society,

Bearing in mind that microcredit programmes have especially benefited women and have resulted in the achievement of their empowerment in a world where more women than men live in absolute poverty and that the imbalance continues to grow,

Recognizing that microcredit programmes, in addition to their role in the eradication of poverty, have also been a contributing factor to the social and human development process,

Noting that the qualitative and quantitative development of microcredit institutions and their capacity to reach the marginalized groups requires the provision of an enabling environment, including a policy framework for the financial sector, as well as linkages to the formal financial sector,

Bearing in mind the importance of microfinance instruments such as credit, savings and related business services in providing access to capital for people living in poverty,

Noting that the provision of finance to microcredit institutions should be commensurate with their absorptive capacity and that efforts should be made to strengthen and enhance that capacity,

Noting also the positive references in support of the role of microcredit contained in the final documents of the Twelfth Ministerial Conference of the Movement of Non-Aligned Countries, held at New Delhi on 7 and 8 April 1997,[71] the Ninth Summit of the South Asian Association for Regional Cooperation, held at Male from 12 to 14 May 1997,[72] the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-third ordinary session, held at Harare from 2 to 4 June 1997,[73] the substantive session of 1997 of the Economic and Social Council, held at Geneva from 30 June to 25 July 1997,[74] and the meeting of the Commonwealth Heads of Government, held at Edinburgh from 24 to 27 October 1997, as well as the statement on economic and financial issues of the Group of Seven, issued at Denver, United States of America, on 21 June 1997,

1. *Welcomes* the launching of different microcredit initiatives in recent years, and acknowledges their important contribution to the eradication of poverty, empowerment of women and social upliftment;

2. *Also welcomes* the outcome of the Microcredit Summit, held in Washington, D.C., from 2 to 4 February 1997, which, through its Declaration and Plan of Action,[75] endorsed a global campaign to reach 100 million of the world's poorest families, especially women of those families, with credit for self-employment and other financial and business services, by the year 2005;

3. *Notes with satisfaction* that, as called for in Assembly resolution 51/178 of 16 December 1996, many United Nations agencies and the World Bank actively participated in the Summit and thus contributed to its successful outcome;

4. *Takes note* of the Declaration and Plan of Action of the Microcredit Summit,[75] the communiqué[76] issued by the Council of Heads of State and Government at the Summit, and messages to the Summit from the Chairman of the Group of 77 and China[77] and from the Secretary-General;[78]

5. *Recognizes* the important contributions being made by the United Nations system and by the Consultative Group to Assist the Poorest, sponsored by the World Bank, to develop and disseminate best practices among all organizations engaged in the provision of financial services on a sustainable basis to people living in poverty;

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[70] A/52/573.

[71] A/51/912-S/1997/406, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for July, August and September 1997*, document S/1997/406.

[72] A/52/222, annex.

[73] A/52/465, annex II.

[74] *Official Records of the Economic and Social Council, 1997, Supplement No. 1* (E/1997/97).

[75] A/52/113, annex I.

[76] Ibid., annex II.

[77] Ibid., annex III.

[78] Ibid., annex IV.

6. *Encourages* all involved in poverty eradication programmes to consider incorporating microcredit schemes in their strategies;

7. *Also encourages* them to adopt policies that support the development of microcredit institutions and their capacities so that credit and related services may be made available to increasing numbers of people living in poverty;

8. *Calls upon* the international donor community to support the strengthening of existing and emerging microcredit institutions in the developing countries, especially the least developed and the African countries;

9. *Also calls upon* the relevant organs, organizations and bodies of the United Nations system, in particular its funds and programmes and the regional commissions, as well as relevant international and regional financial institutions and donor agencies involved in the eradication of poverty, to explore including the microcredit approach in their programmes as a tool for the eradication of poverty and further developing, where appropriate, other microfinance instruments;

10. *Calls upon* all concerned non-governmental organizations, other actors of civil society and the private sector to support and incorporate, as appropriate, microcredit and related services in their programmes for the eradication of poverty;

11. *Requests* the Secretary-General, in collaboration with relevant organizations of the United Nations system, including funds and programmes and the World Bank, to submit to it at its fifty-third session a report on the role of microcredit in the eradication of poverty in the follow-up to resolution 52/193 entitled "First United Nations Decade for the Eradication of Poverty";

12. *Decides* to include future discussions of the role of microcredit under an item entitled "Implementation of the first United Nations Decade for the Eradication of Poverty (1997-2006)".

77th plenary meeting
18 December 1997

52/195. Women in development

The General Assembly,

Recalling its resolution 50/104 of 20 December 1995 and all other relevant Assembly resolutions on the integration of women in development, and also the resolutions and the agreed conclusions[79] adopted by the Commission on the Status of Women on the integration of women in development,

Reaffirming the Beijing Platform for Action[80] and the outcomes of recent major United Nations conferences and summits,

Reaffirming also that gender equality is of fundamental importance for achieving sustained economic growth and sustainable development, in accordance with the relevant General Assembly resolutions and recent United Nations conferences,

Recognizing the significant contribution that women make to economic activities and the major force that they represent for change and development in all sectors of the economy, especially in key areas such as agriculture, industry and services,

Concerned that the continued discrimination against women, the denial or lack of equal rights and access to education, training and credit facilities and the lack of control over land, capital, technology and other areas of production impede their full and equal contribution to, and equal opportunity to benefit from, development,

Recognizing that discrimination in education and training, hiring, remuneration and promotion, and horizontal mobility practices, continue to restrict employment, economic, professional and other opportunities and mobility for women and impede women in achieving their full potential,

Reaffirming that investing in the development of women and girls has multiplier effects on productivity, efficiency and sustained economic growth,

Recognizing that the difficult socio-economic conditions that exist in many developing countries, particularly those in Africa and the least developed countries, have resulted in the acceleration of the feminization of poverty, especially in rural areas and among female-headed households,

Reaffirming that women are key contributors to the economy and to combating poverty through both remunerated and unremunerated work at home, in the community and in the workplace and that the empowerment of women is a critical factor in the eradication of poverty,

Recognizing the continued need to review the impact of structural adjustment programmes in order to reduce any adverse impact on women, especially in terms of cut-backs in social services, education and health and the removal of subsidies on food and fuel,

Aware that, although globalization and liberalization processes have created employment opportunities for women in some countries, they have also created risks to and marginalization of women in developing countries,

Recognizing that the informal sector is a major source of entrepreneurship and employment for women in developing countries and that data collection on its important contribution should be improved,

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[79] *Official Records of the Economic and Social Council, 1997, Supplement No. 7* (E/1997/27), chap. I, sect. C.1, agreed conclusions 1997/3.

[80] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

Expressing its concern about the poor representation of women in economic decision-making, including in the formulation of monetary and fiscal policies as well as rules governing pay,

Emphasizing the promotion of programmes aimed at financial intermediation with a view to ensuring the equal access of rural women to credit and to agricultural inputs and implements and, in particular, to easing collateral requirements for access to credit by women,

Stressing the need for a family-friendly work environment, including appropriate working hours, affordable childcare and flexible working hours, and emphasizing the principle of shared responsibility between women and men for the achievement of gender equality,

Stressing also that neglecting a gender perspective in policy formulation and implementation exacerbates the feminization of poverty and economic inefficiency and has a high social cost,

Noting the importance of the organizations and bodies of the United Nations system, particularly the funds and programmes, including the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women, in facilitating the advancement of women in development,

1. *Takes note* of the report of the Secretary-General and the recommendations contained therein;[81]

2. *Calls* for the urgent implementation of the Beijing Platform for Action[80] and the relevant provisions contained in the outcomes of all other major United Nations conferences and summits;

3. *Stresses* that a favourable and conducive international and national economic, financial, political, social and legal environment and a positive investment climate are necessary for the effective integration of women in development;

4. *Reiterates its call* to all Governments and all actors of society to implement the commitment made at Beijing to create an enabling environment by, *inter alia*, removing discriminatory barriers and ensuring the full and equal participation of women in economic activities through, *inter alia*, the adoption of gender-sensitive policies and legal measures and the provision of other necessary structures;

5. *Stresses* the importance of developing national strategies for promoting sustainable and productive entrepreneurial activities to generate income among disadvantaged women and women living in poverty;

6. *Urges* Governments to develop and promote methodologies for mainstreaming a gender perspective into all aspects of policy-making, including economic policy-making;

7. *Stresses* the need to ensure that women and girls have full and equal access to all levels of education, vocational training and retraining programmes in order to improve their employment opportunities;

8. *Urges* all Governments to ensure women's equal rights with men and access to economic resources and to increase the access of women to credit by instituting innovative lending practices, including practices that integrate credit with services and training for women and that provide flexible credit facilities to women, in particular rural women, women in the informal sector, young women and women who lack access to traditional sources of collateral;

9. *Invites* Governments to enact legislation to ensure that women have equal access to and control over land, unmediated by male relatives, in order to end land rights discrimination, that women are accorded secure use rights and are fully represented in the decision-making bodies that allocate land and other forms of property, credit, information and new technologies, that in the implementation of the Beijing Platform for Action women are accorded full and equal rights to own land and other property, *inter alia*, through inheritance, and that land reform programmes begin by acknowledging the equality of the rights of women to land and that other measures are taken to increase land availability to poor women and men;

10. *Requests* Governments to ensure that the priorities of women are included in, and that women fully participate in, decisions on public investment programmes for economic infrastructure, technology, water supply and sanitation, electrification and energy conservation, transport and road construction and to promote greater involvement of women beneficiaries at the project planning and implementation stages to ensure their access to jobs and contracts;

11. *Urges* Governments to promote and strengthen microenterprises, new small businesses, cooperative enterprises, expanded markets and other employment opportunities, to facilitate, where appropriate, the transition from the informal to the formal sector, especially in rural areas, to provide outreach programmes to inform low-income and poor women, particularly in rural and remote areas, of opportunities for market and technology access and to provide women with assistance in taking advantage of such opportunities;

12. *Calls upon* Governments to promote, *inter alia*, through legislation, family-friendly and gender-sensitive work environments and also to promote the facilitation of breastfeeding for working mothers;

13. *Urges* the international community, the United Nations system and other relevant organizations to give priority to assisting the efforts of developing countries to ensure the full and effective participation of women in deciding and implementing development strategies, through,

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[81] A/52/345.

inter alia, the increased access of women to health care, capital, education, training and technology and full and equal participation in decision-making;

14. *Urges* multilateral donors, international financial institutions and regional development banks to review and implement policies in support of national efforts to ensure that a higher proportion of resources reach women, in particular women in rural and remote areas;

15. *Calls upon* the United Nations system to support developing countries in their efforts to integrate gender concerns into national programmes and to implement those programmes, including by providing adequate resources for operational activities for development;

16. *Also calls upon* the United Nations system to integrate gender mainstreaming into all its programmes and policies, including in the integrated follow-up to United Nations conferences, in accordance with agreed conclusions 1997/2 on gender mainstreaming adopted by the Economic and Social Council at its substantive session of 1997;[82]

17. *Requests* the United Nations development system to continue working towards establishing a more coherent approach to its support for the income-generating activities of women, in particular credit schemes;

18. *Decides* to include in the provisional agenda of its fifty-fourth session the sub-item entitled "Women in development";

19. *Requests* the Secretary-General to submit to the General Assembly at its fifty-fourth session a report on the outcome of the implementation of the present resolution, including the impact of the globalization and liberalization processes on the integration of women in development, the implementation of operational activities for development of the United Nations system in enhancing the participation of women in national development programmes and the gender mainstreaming of United Nations programmes and policies.

77th plenary meeting
18 December 1997

52/196. Developing human resources for development

The General Assembly,

Reaffirming its resolutions 50/105 of 20 December 1995, 48/205 of 21 December 1993, 46/143 of 17 December 1991 and 45/191 of 21 December 1990, as well as the relevant sections of the Agenda for Development,[83]

Recognizing that people are at the centre of concerns for sustainable development and that the development of human resources is an essential component in the achievement of sustainable development, and stressing that effective human resources development should strengthen people's capabilities and competencies and enlarge the choices available to them in developing their lives and fulfilling their aspirations so as to reach total human development,

Recognizing also that there is a need to integrate human resources development into comprehensive strategies that mainstream a gender perspective, taking into account the needs of all people, in particular, the needs of women and the girl child,

Stressing that Governments have the primary responsibility for defining and implementing appropriate policies for human resources development and that there is a need for continued support from the international community to complement the efforts of Governments of developing countries to promote human resources development in pursuit of their national programmes, plans and strategies for development,

Stressing also that there is a need for a supportive and favourable national and international economic environment that will enhance human resources development in developing countries and promote sustained economic growth and sustainable development, in accordance with the relevant General Assembly resolutions and recent United Nations conferences,

Recognizing that economic reforms and structural adjustment programmes are aimed at benefiting those countries which undertake them but that these programmes can also affect the capacity of Governments to implement appropriate policies that promote human resources development, and that there is a need, in the formulation of these programmes, to continue to integrate measures that mitigate such an effect,

Recognizing also the vital role of South-South cooperation in supporting national efforts at human resources development,

Emphasizing the continued need for coordination and integration among the organs and organizations of the United Nations system in assisting developing countries, in particular the least developed among them, to foster the development of their human resources, especially that of the most vulnerable, and for the United Nations to continue to give priority to human resources development in developing countries,

Recognizing the importance accorded to the human component of development in the declarations and programmes of action adopted at all the major United Nations conferences and summits since 1990,

1. *Takes note* of the note by the Secretary-General;[84]

2. *Emphasizes* that, in the development of human resources, an overall, well-conceived and integrated approach

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[82] See A/52/3, chap. IV.A, para. 4. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 3* (A/52/3/Rev.1).

[83] Resolution 51/240, annex.

[84] A/52/540.

that mainstreams a gender perspective and takes into account the needs of all people should be adopted, incorporating such vital areas as population, health, nutrition, water, sanitation, housing, communications, education and training, and science and technology, as well as taking into account the need to create more opportunities for employment in an environment that guarantees political freedom, popular participation, respect for human rights, justice and equity, all of which are essential for enhancing human capacity to meet the challenge of development;

3. *Encourages* all countries to apply the requisite policies to ensure the development of their human resources, through education and training and by seeking, where possible, to increase receptivity to technological innovations, including those in the field of information technology;

4. *Emphasizes* the need to ensure the full participation of women in the formulation and implementation of national policies to promote human resources development;

5. *Acknowledges* the efforts of developing countries in promoting human resources development, and, in this regard, emphasizes the need for international cooperation to advance human resources development and the need for concerted efforts to support the efforts of developing countries, especially in those Africa and the least developed countries, to develop their human resources;

6. *Encourages* all countries to accord priority, in particular in national budgets, to human resources development in the context of the adoption of economic and social policies;

7. *Emphasizes* that human resources development and institution-building can be promoted through South-South cooperation, and calls upon countries to take action in this regard;

8. *Invites* international organizations, including international financial institutions, to continue to give priority to supporting the objectives of human resources development and to integrating them into their policies, programmes and operations;

9. *Emphasizes* that structural adjustment programmes should support social development goals, in particular the eradication of poverty, the promotion of full and productive employment and the enhancement of social integration, with due regard to the implementation of sound economic policies;

10. *Calls upon* the relevant organs, organizations and bodies of the United Nations system, in accordance with their mandates, work programmes and priorities, to coordinate effectively their activities in support of national and regional action in the area of human resources development and capacity-building, both among themselves and with other development partners, and to strengthen the impact of their development activities on human resources development;

11. *Requests* the Secretary-General to include in his report to the General Assembly at its fifty-fourth session an assessment of the effectiveness of the contribution made by the United Nations system to advance human resources development through its operational activities, and to make recommendations to further enhance the efficiency and effectiveness of its contribution to human resources development, including the identification of possible new approaches that will enhance their impact;

12. *Decides* to include in the provisional agenda of its fifty-fourth session, under the item entitled "Sustainable development and international economic cooperation", the sub-item entitled "Human resources development".

77th plenary meeting
18 December 1997

52/197. Cultural development

The General Assembly,

Recalling its resolutions 41/187 of 8 December 1986, in which it proclaimed the period 1988-1997 the World Decade for Cultural Development, 46/158 of 19 December 1991, in which it requested the Secretary-General to cooperate with the Director-General of the United Nations Educational, Scientific and Cultural Organization in establishing an independent World Commission on Culture and Development, and expected the World Commission to submit its final report to the General Conference of the United Nations Educational, Scientific and Cultural Organization and to the United Nations General Assembly no later than three years after it began its work, and 51/179 of 16 December 1996, concerning the report of the World Commission,

Noting the fact that public opinion throughout the world as well as Governments and non-governmental organizations have become much more sensitive to the need for better integration of the cultural dimension into the entire development process,

Recognizing that this awareness of the central importance of culture is, nevertheless, insufficiently present in development policy and practice,

Acknowledging with satisfaction the active participation of Member States, United Nations bodies, intergovernmental and non-governmental organizations and individuals in the implementation of projects of national, regional and interregional scope, aiming at the promotion of the objectives of the Decade, and in the work of the World Commission and its follow-up,

Taking note of the first meeting of Ministers of Culture of non-aligned countries, held at Medellín, Colombia, on 4 and 5 September 1997,[85]

1. *Takes note* of the note by the Secretary-General on the progress of the World Decade for Cultural Development during the period 1994-1997;[86]

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[85] See A/52/432.

[86] A/52/382.

2. *Invites* all Member States, intergovernmental bodies and organizations of the United Nations system and non-governmental organizations:

(*a*) To ensure that the lessons and experiences gained and the momentum generated through the World Decade and the World Commission on Culture and Development are reflected in all their development strategies, as appropriate;

(*b*) To submit their comments to the United Nations Educational, Scientific and Cultural Organization on the report of the World Commission on Culture and Development, entitled *Our Creative Diversity*;[87]

(*c*) To intensify their efforts to integrate cultural factors into their development programmes and projects, so as to ensure sustainable development that fully respects cultural diversity, taking into account their cultural values and identity;

3. *Stresses* the importance of the question of interaction between culture and development, and encourages the United Nations Educational, Scientific and Cultural Organization to accord priority to this theme in its work;

4. *Encourages* the United Nations Educational, Scientific and Cultural Organization to pursue its ongoing task of promoting throughout the United Nations system a greater awareness of the crucial relationship between culture and development, taking into account the diversity of cultures;

5. *Welcomes* the convening in Stockholm in 1998 of an intergovernmental conference on cultural policies for development, organized by the United Nations Educational, Scientific and Cultural Organization;

6. *Requests* the Secretary-General, in the elaboration of the international development strategy for the next United Nations development decade, to include recommendations for the integration of the cultural dimension in development activities;

7. *Also requests* the Secretary-General to include the outcome of the Stockholm conference in his report on the implementation of the present resolution to the General Assembly at its fifty-third session.

77th plenary meeting
18 December 1997

52/198. Implementation of the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa

The General Assembly,

Recalling its resolutions 47/188 of 22 December 1992, 48/191 of 21 December 1993, 49/234 of 23 December 1994, 50/112 of 20 December 1995, 51/180 of 16 December 1996 and 51/238 of 17 June 1997,

Noting with satisfaction that a large number of States have ratified the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa,[88] and calling upon other States to take appropriate action to that end,

Noting that, in accordance with paragraphs 4 and 5 of its resolution 51/180, the first session of the Conference of the Parties to the Convention was held at Rome from 29 September to 10 October 1997 and that it was attended by one hundred and two parties and by a large number of observers from Governments and intergovernmental and non-governmental organizations,

Expressing its deep appreciation to the Government of Italy for the generous manner in which it hosted the first session of the Conference of the Parties and to the Food and Agriculture Organization of the United Nations for the facilities it provided,

Recognizing the contribution to the convention process of the interim secretariat of the Convention, within the framework of the former Department for Policy Coordination and Sustainable Development of the Secretariat, as well as the support provided to the interim secretariat by all bilateral and multilateral contributors, including regional and non-governmental organizations,

Recognizing also the support provided during the interim phase of the Convention to the launching of national, subregional and regional action programme processes in response to the resolution on urgent action for Africa,[89] and the support provided to the interim activities in other regions carried out by Governments, regional economic integration organizations, intergovernmental organizations and non-governmental organizations, as well as by specialized agencies, funds and programmes of the United Nations system,

Noting the offer made by the Secretary-General to provide administrative and support arrangements in the framework of an institutional linkage of the Convention secretariat to the United Nations,

Taking note of the decision of the Conference of the Parties,[90] on the basis of the offer made by the Secretary-General, that the Convention secretariat should be institutionally linked to the United Nations, while not being fully integrated into the work programme and management structure of any particular department or programme,

Taking note also of the financial rules of the Conference of the Parties, its subsidiary bodies and the secretariat of the

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[87] Paris, United Nations Educational, Scientific and Cultural Organization, 1996.

[88] A/49/84/Add.2, annex, appendix II.

[89] Ibid., appendix III, resolution 5/1.

[90] ICCD/COP(1)/11/Add.1, decision 3/COP.1.

Convention,[91] adopted by the Conference at its first session, whereby, *inter alia*, the Secretary-General, at 1 January 1999, is requested to establish trust funds (general, supplementary and special funds) for the purposes of the Convention, to be managed by the head of the Convention secretariat in accordance with the relevant financial rules and within the duly delegated authority,

Taking note further of the decision of the Conference of the Parties at its first session[92] that the General Assembly be requested to decide, bearing in mind the institutional linkage of the Convention secretariat to the United Nations and the large number of States that are parties to the Convention, to finance from the regular programme budget of the United Nations the conference-servicing costs arising from sessions of the Conference of the Parties and its subsidiary bodies for the duration of the institutional linkage,

Taking note of the reports of the Intergovernmental Negotiating Committee for the Elaboration of an International Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa on its tenth session, held in New York from 6 to 17 January 1997,[93] and its resumed tenth session, held at Geneva from 18 to 22 August 1997,[94] and the report of the Conference of the Parties on its first session,[95]

Having considered the report of the Secretary-General on the implementation of General Assembly resolution 51/180,[96] in particular paragraph 15,

1. *Approves* the institutional linkage between the secretariat of the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa, and the United Nations, in accordance with the offer made by the Secretary-General and as accepted by the Conference of the Parties to the Convention at its first session;[90]

2. *Requests* the Secretary-General to review the functioning of the institutional linkage, including the financing arrangements, not later than 31 December 2000, in consultation with the Conference of the Parties, with a view to making such modifications as may be considered desirable by the General Assembly and the Conference, and to report thereon to the Assembly;

3. *Notes* that the Conference of the Parties has decided to accept the offer of the Government of Germany to host the Convention secretariat at Bonn,[97] and expresses its appreciation for the support offered by the future host Government with respect to the relocation and effective functioning of the Convention secretariat;

4. *Expresses its appreciation* to the Government of Switzerland, which hosted the interim secretariat, and to the Government of Canada and the Government of Spain, which offered to host the Convention secretariat, and invites them to continue to support the permanent secretariat and to contribute to the implementation of the Convention;

5. *Welcomes* the selection by the Conference of the Parties at its first session of the International Fund for Agricultural Development to house the Global Mechanism and, in accordance with the decision of the Conference,[98] invites the Fund, as the lead organization, to cooperate fully with the United Nations Development Programme and the World Bank;

6. *Takes note* of the statement of the President of the Conference of the Parties at the closing of the first session, and, in this context, invites the Conference to facilitate the elaboration of an additional regional implementation annex to the Convention for the countries of the eastern and central European region to be launched at the second session of the Conference in 1998, in accordance with the goals and objectives of the Convention, and with a view to finalizing it as soon as possible;

7. *Urges* Governments and all interested organizations, including non-governmental organizations and the private sector, to make promptly the voluntary contributions necessary to ensure that the Global Mechanism can begin operating on 1 January 1998;

8. *Requests* the Secretary-General, bearing in mind the decision taken by the Conference of the Parties at its first session:[99]

(*a*) To authorize the interim secretariat established pursuant to resolution 47/188 to act as the secretariat for the transition period following the first session of the Conference of the Parties until the permanent secretariat designated by the Conference begins operating by 1 January 1999;

(*b*) To maintain the arrangements within the current programme budget for the interim secretariat to support the Convention until the permanent secretariat begins operating by 1 January 1999 and to maintain the arrangements relating to extrabudgetary funds;

9. *Notes with appreciation* the contributions made to the Trust Fund established pursuant to resolution 47/188, and invites Governments, regional economic integration organizations and other interested organizations to continue to make voluntary contributions to the Trust Fund to support the interim secretariat and the work of the Conference of the Parties and its subsidiary bodies for the transition period following the first session of the Conference;

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[91] Ibid., decision 2/COP.1.

[92] Ibid., decision 4/COP.1.

[93] A/52/82, annex.

[94] A/52/82/Add.1, annex.

[95] ICCD/COP(1)/11 and Add.1.

[96] A/52/549.

[97] ICCD/COP(1)/11/Add.1, decision 5/COP.1.

[98] Ibid., decision 24/COP.1.

[99] Ibid., decision 6/COP.1.

10. *Also notes with appreciation* the contributions made to the Special Voluntary Fund established pursuant to resolution 47/188 to assist developing countries affected by desertification and drought, in particular the least developed countries, as well as representatives of non-governmental organizations of developing countries, to participate fully and effectively in the sessions of the Conference of the Parties and its subsidiary bodies, and invites Governments, regional economic integration organizations and other organizations to continue to contribute generously to the Fund also for the transition period following the first session of the Conference;

11. *Requests* the Secretary-General to close, on 31 December 1998, the Trust Fund and the Special Voluntary Fund established under the provisions of resolution 47/188 and to transfer any amounts remaining in the Trust Fund and in the Special Voluntary Fund as of 31 December 1998, respectively, to the supplementary fund to be established pursuant to paragraph 9 of the financial rules[91] and to the special fund to be established in accordance with paragraph 10 of the financial rules;

12. *Renews its appeal* to Governments, regional economic integration organizations and other interested organizations, as well as to non-governmental organizations and the private sector, to continue to contribute generously to the two extrabudgetary funds mentioned above for the transition period following the first session of the Conference of the Parties;

13. *Calls upon* all countries that are not parties to the Convention to take appropriate action for the ratification, acceptance, approval or accession to the Convention;

14. *Stresses* the necessity to advance, as soon as possible, the full implementation of the Convention, and, in this context, calls upon Governments of affected countries, as a matter of priority, to accelerate the processes of elaboration of national, subregional and regional action programmes, and calls upon the international community, in particular the developed countries, and the United Nations system, and invites the multilateral financial institutions and all other interested actors, to support the efforts of affected developing countries in these processes by providing financial resources and other forms of assistance, in accordance with the relevant articles of the Convention and the decisions of the Conference of the Parties;

15. *Urges* all States that are parties to the Convention to pay promptly and in full on the first month of each year, starting on 1 January 1999, the contributions required for the core budget of the Convention envisaged in the financial rules, so as to ensure continuity in the cash flow required to finance the ongoing work of the Conference of the Parties, the subsidiary bodies, the permanent secretariat and the Global Mechanism;

16. *Calls upon* all countries, in particular developed countries, non-governmental organizations and the private sector to contribute generously to the trust funds (general, supplementary and special funds) to be established by the Secretary-General on 1 January 1999, in conformity with the financial rules of the Conference of the Parties, in order to facilitate activities under the Convention and to support the participation of representatives of developing and, in particular, least developed country parties affected by desertification and/or drought, particularly those in Africa, as well as the participation of some representatives of non-governmental organizations of those countries in the sessions of the Conference and its subsidiary bodies;

17. *Decides* to include in the calendar of conferences and meetings for the biennium 1998-1999 the sessions of the Conference of the Parties and its subsidiary bodies envisaged for that biennium, taking into account the request of the Conference;

18. *Takes note* of the transitional arrangement for administrative support to the Convention secretariat, outlined in the report of the Secretary-General on the implementation of General Assembly resolution 51/180,[96] with particular reference to the implications arising from the report of the Conference of the Parties on its first session,[95] which should facilitate the establishment and relocation of the Convention secretariat and assist it in addressing any initial financial and personnel problems that may be encountered in that context;

19. *Welcomes with appreciation* the generous offer of the Government of Senegal to host the second session of the Conference of the Parties to the Convention at Dakar from 30 November to 11 December 1998;

20. *Requests* the Secretary-General to bring the present resolution to the attention of all Governments, the relevant specialized agencies, funds and programmes of the United Nations system, multilateral and bilateral financial institutions and other intergovernmental organizations, as well as to non-governmental organizations and the private sector;

21. *Also requests* the Secretary-General to report to it, at its fifty-third session, on the implementation of the present resolution;

22. *Decides* to include in the provisional agenda of its fifty-third session the sub-item entitled "Implementation of the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa".

77th plenary meeting
18 December 1997

52/199. Protection of global climate for present and future generations of mankind

The General Assembly,

Recalling its resolutions 50/115 of 20 December 1995 and 51/184 of 16 December 1996 and other relevant resolutions relating to the protection of the global climate for present and future generations of mankind, *Noting with satisfaction* that most States and one regional economic integration organization have ratified or acceded to the United Nations Framework Convention on Climate Change,[100]

Expressing its deep appreciation to the Government of Japan for hosting the third session of the Conference of the Parties to the United Nations Framework Convention on Climate Change,

Looking forward to the continued efforts of the Conference of the Parties and its subsidiary bodies in addressing climate change,

Taking note of the statement of the Executive Secretary of the United Nations Framework Convention on Climate Change on the results of the meeting of the Conference of the Parties prepared in response to the invitation of the General Assembly as contained in paragraph 6 of resolution 51/184,

Noting with regret that the report of the Secretary-General on the implementation of resolutions 50/115 and 51/184 was not submitted on time,

1. *Welcomes* the convening of the third session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, in Kyoto, Japan, from 1 to 10 December 1997;

2. *Calls upon* all States to strive for a successful outcome of the Berlin Mandate[101] process;

3. *Notes* the ongoing process of the review of the administrative arrangements regarding personnel and financial matters established in the context of the transitional arrangement for administrative support to the secretariat of the United Nations Framework Convention on Climate Change for the biennium 1996-1997,[102] and the arrangements made for the provision of conference services to the Conference of the Parties to the Convention and its subsidiary bodies for the biennium 1996-1997,[103] as requested in paragraph 10 of its resolution 50/115 and paragraph 3 of its resolution 51/184;

4. *Decides* to maintain the arrangements regarding personnel and financial matters established in regard to the provisions of administrative support to the secretariat of the Convention, for the biennium 1998-1999,[104] taking into account the review of the functioning of the institutional linkage called for in its resolution 50/115, and as reiterated in its resolution 51/184;

5. *Also decides* to include in the calendar of conferences and meetings for the biennium 1998-1999 the sessions of the Conference of the Parties and its subsidiary bodies, entailing eight weeks of conference-servicing facilities envisaged for that biennium;[105]

6. *Invites* the Executive Secretary of the United Nations Framework Convention on Climate Change to report to the General Assembly at its fifty-third session and following the outcome of the third session of the Conference of the Parties to the Convention;

7. *Decides* to include in the provisional agenda of its fifty-third session the sub-item entitled "Protection of global climate for present and future generations of mankind".

77th plenary meeting
18 December 1997

52/200. International cooperation to reduce the impact of the El Niño phenomenon

The General Assembly,

Recalling its resolutions 44/236 of 22 December 1989, 48/188 of 21 December 1993, 49/22 A of 2 December 1994, 49/22 B of 20 December 1994, 50/117 A and B of 20 December 1995 and 51/185 of 16 December 1996 and Economic and Social Council resolution 1996/45 of 26 July 1996,

Taking into account that the El Niño Southern Oscillation Phenomenon, commonly known as "El Niño", has had an acute impact in several regions of the world, with particular severity and frequency in the coastal countries of the Pacific Ocean,

Noting that El Niño has a recurring character and has produced disastrous effects, resulting in large material, economic, human and environmental losses, with particular impact in the coastal countries of the Pacific Ocean, especially in developing countries,

Acknowledging with concern the possible effects that El Niño may have on global weather patterns, such as abnormal droughts and precipitation around the world, leading to food shortages and famine in several regions which could extend over a number of years and which may have potential impacts on world food supplies,

Taking into account that the major El Niño events of this century have occurred fairly regularly and are often preceded by a number of distinct warning signs, which, with an appropriate increase in and exchange of data and information, could assist in the modelling and prediction of its recurrence and enhance the capabilities of affected countries to mitigate the negative social, economic and environmental impacts that the phenomenon causes,

Acknowledging the need to enhance international and national efforts for a better scientific understanding of the origins of the El Niño phenomenon,

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[100] A/AC.237/18 (Part II)/Add.1 and Corr.1, annex I.

[101] FCCC/CP/1995/7/Add.1, decision 1/CP.1.

[102] A/51/484, paras. 14-18.

[103] Ibid., para. 9.

[104] A/52/667, paras. 4-8.

[105] Ibid., para. 10.

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Considering that the national efforts of the countries affected have been insufficient owing to the magnitude of the natural disaster and that international cooperation and solidarity therefore become indispensable, in particular in the area of capacity-building,

Reaffirming that disaster reduction forms an integral part of the sustainable development strategies and national development plans of vulnerable countries and communities,

1. *Invites* States to incorporate in sustainable development programmes, at the national, regional and international levels, strategies to prevent, mitigate and rehabilitate the damage caused by natural disasters;

2. *Calls upon* States, relevant intergovernmental bodies and all others involved in the International Decade for Natural Disaster Reduction to participate actively in the financial and technical support for Decade activities, including those related to international cooperation to reduce the impact of the El Niño phenomenon, in order to ensure the implementation of the International Framework of Action for the Decade,[106] in particular with a view to translating the Yokohama Strategy for a Safer World: Guidelines for Natural Disaster Prevention, Preparedness and Mitigation and its Plan of Action[107] into concrete disaster reduction programmes and activities;

3. *Commends* the national, regional and subregional efforts of affected countries, particularly those of developing countries, to reduce the impact of El Niño;

4. *Requests* the Secretary-General to facilitate, within the framework of the Decade, an internationally concerted and comprehensive strategy towards the integration of the prevention, mitigation and rehabilitation of the damage caused by the El Niño phenomenon, including the development of long-term strategies which take into due consideration the need for technical cooperation, financial assistance, the transfer of appropriate technology and the dissemination of existing scientific knowledge, as part of the Decade's activities, the International Framework of Action for the Decade and the Yokohama Strategy for a Safer World: Guidelines for Natural Disaster Prevention, Preparedness and Mitigation and its Plan of Action, and taking into account the relevant parts of the Programme of Action for the Sustainable Development of Small Island Developing States;[108]

5. *Calls upon* the secretariat of the Decade to continue to facilitate a concerted international approach to improvements in early-warning capacities for natural disasters and similar disasters with adverse impact on the environment, with particular reference to El Niño;[109]

6. *Welcomes* the establishment of the Inter-agency Task Force on El Niño for cooperative work on the prevention and mitigation of and preparedness for natural disasters related to the El Niño phenomenon;

7. *Calls upon* the organizations and bodies of the United Nations system, especially the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization, the World Meteorological Organization, the World Health Organization, the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme and the United Nations Development Programme, as well as the International Council of Scientific Unions and the World Climate Research Programme, within the framework of the Decade, to contribute further to a comprehensive approach and study of El Niño and to intensify their cooperation with the regions affected by the phenomenon, especially developing countries, small island developing States and landlocked countries;

8. *Invites* States to support the oceanographic and terrestrial observation networks to observe, describe and predict climate anomalies related to El Niño;

9. *Invites* States, intergovernmental organizations and all those participating in the Decade to provide technical and financial assistance, including national capacity-building, to developing countries to support global and regional observation systems and research, including the dissemination of data on El Niño, to prevent, mitigate and redress the negative effects of the phenomenon;

10. *Requests* the Secretary-General, within the context of paragraph 4 of the present resolution and within available resources of the secretariat of the Decade, to promote an intergovernmental meeting of experts, including representatives of academic and scientific institutions devoted to the study and analysis of El Niño, in order to facilitate the exchange of information and national experiences related to the monitoring of the phenomenon as well as of strategies for the reduction of its impact and to provide to the meeting the reports of regional meetings and symposia specializing in the phenomenon;

11. *Urges* the Secretary-General to include the El Niño phenomenon and its consequences in the ongoing activities of the Decade to improve the effectiveness and increase international coordination of early-warning systems with regard to natural and similar disasters with an adverse impact on the environment;

12. *Recommends* that long-term public awareness and information programmes related to natural disasters, including those induced by El Niño and similar disasters with an adverse impact on the environment, be integrated into comprehensive national disaster management programmes that focus on

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[106] See resolution 44/236, annex.

[107] A/CONF.172/9, chap. I, resolution 1, annex I.

[108] *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April-6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I, resolution 1, annex II.

[109] See resolutions 51/185, 49/22 B and 50/117 B.

preventive strategies for risk reduction and that those programmes be included as integral elements of United Nations support for social and economic development programmes;

13. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report on the implementation of the present resolution, within the discussion on the implementation of the Decade, under the agenda item entitled "Environment and sustainable development", including proposals on how to integrate the prevention, mitigation and rehabilitation of the impacts of the El Niño phenomenon into the development of the disaster reduction strategy for the twenty-first century.

77th plenary meeting
18 December 1997

52/201. Convention on Biological Diversity

The General Assembly,

Recalling its resolution 51/182 of 16 December 1996 on the Convention on Biological Diversity and other relevant resolutions relating to the Convention,

Recalling also the provisions of the Convention on Biological Diversity,[110]

Recalling further Agenda 21,[111] particularly its chapter 15 on the conservation of biological diversity and related chapters,

Recalling the recommendations made at the third session of the Commission on Sustainable Development on the review of chapter 15 of Agenda 21 on the conservation of biological diversity,[112]

Deeply concerned by the continued loss of the world's biological diversity, and, on the basis of the provisions of the Convention, reaffirming the commitment to the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of benefits arising out of the utilization of genetic resources,

Emphasizing that the Convention is an important instrument for achieving sustainable development, taking into account its three objectives, and for promoting the ecosystem approach embodied in the Convention and the decisions of the Conference of the Parties to the Convention,

Encouraged by the work carried out to date under the Convention,

Noting with satisfaction that most States and one regional economic integration organization have ratified or acceded to the Convention,

Taking note with appreciation of the generous offer of the Government of Slovakia to host the fourth meeting of the Conference of the Parties to the Convention at Bratislava from 4 to 15 May 1998,

Recalling its invitation to the Executive Secretary of the Convention on Biological Diversity to report to the General Assembly on the results of future meetings of the Conference of the Parties,

1. *Welcomes* the results of the third meeting of the Conference of the Parties to the Convention on Biological Diversity, held at Buenos Aires from 4 to 15 November 1996, as reflected in the report of the meeting,[113] submitted in accordance with resolution 51/182, and in that context reaffirms the need to take concrete action to fulfil the three objectives of the Convention;

2. *Takes note* of the decision of the Conference of the Parties on the conservation and sustainable use of agricultural biological diversity and the programme of work contained therein,[114] and the development of a focused work programme for forest biological diversity;[115]

3. *Also takes note* of the ongoing work and the international cooperation to date towards fulfilling the objectives of the Convention, the decision of the Conference of the Parties and, *inter alia*, the initiative taken on holding workshops, including the workshop on traditional knowledge and biological diversity,[116] and the important work being carried out by the subsidiary bodies of the Convention;

4. *Further takes note* of the work carried out at the third meeting of the Open-ended Ad Hoc Working Group on Biosafety, held at the seat of the secretariat of the Convention at Montreal, Canada, from 13 to 17 October 1997, and reaffirms the importance of those negotiations for the development of a protocol on biosafety;

5. *Encourages* those States that have not yet ratified the Convention to do so as soon as possible;

6. *Recognizes* that States parties to the Convention have agreed to provide additional financial resources for the implementation of the Convention in accordance with article 20 of the Convention, and urges all funding institutions, including bilateral and multilateral donors as well as regional funding institutions and non-governmental organizations, to

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[110] See United Nations Environment Programme, *Convention on Biological Diversity* (Environmental Law and Institution Programme Activity Centre), June 1992.

[111] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex II.

[112] See *Official Records of the Economic and Social Council, 1995, Supplement No. 12* (E/1995/32), chap. I, para. 230 (*i*).

[113] See A/52/441.

[114] Ibid., annex II, decision III/11.

[115] Ibid., decision III/12.

[116] Ibid., decision III/14.

cooperate with the secretariat of the Convention in implementing the decision of the Conference of the Parties;[117]

7. *Renews its appreciation* for the important work being carried out under the Convention towards enhancing cooperation with the Commission on Sustainable Development and biodiversity-related conventions;

8. *Recognizes* the importance of the implementation of the Convention at all levels, including through the preparation and the implementation of national strategies, plans and programmes;

9. *Notes* that the first national reports by States parties to the Convention, as required under article 26 of the Convention, are due to be submitted to the secretariat of the Convention no later than 1 January 1998[118] in accordance with the decision taken at the second meeting of the Conference of the Parties,[119] calls upon Member States that are parties to the Convention to meet that requirement as soon as possible, and in that context invites the international community to assist developing countries in fulfilling that commitment;

10. *Also notes* the clarification of the administrative arrangements regarding the respective roles of the United Nations Environment Programme and the secretariat of the Convention in respect of personnel and financial matters, as detailed in the Administrative Arrangements between the United Nations Environment Programme and the secretariat of the Convention on Biological Diversity signed on 30 June 1997;

11. *Calls upon* States parties to the Convention to settle urgently any arrears and to pay their contributions in full and in a timely manner, in accordance with the decision of the Conference of the Parties regarding the contributions required for the Trust Fund for the Convention on Biological Diversity,[120] so as to ensure continuity in the cash flow required to finance the ongoing work of the Conference of the Parties, the subsidiary bodies and the Convention secretariat;

12. *Invites* the Executive Secretary of the Convention on Biological Diversity to report to the General Assembly on the results of future meetings of the Conference of the Parties;

13. *Decides* to include in the provisional agenda of its fifty-third session the sub-item entitled "Convention on Biological Diversity".

77th plenary meeting
18 December 1997

52/202. Implementation of the outcome of the Global Conference on the Sustainable Development of Small Island Developing States

The General Assembly,

Recalling its resolutions 50/116 of 20 December 1995 and 51/183 of 16 December 1996 on and related to the implementation of the outcome of the Global Conference on the Sustainable Development of Small Island Developing States, held at Bridgetown, Barbados, from 25 April to 6 May 1994,

Convinced that small island developing States are particularly vulnerable to the potential effects of global climate change and sea-level rise, and that tropical storms, the El Niño phenomenon and drought have resulted in the inundation of some islands and have caused serious loss of resources in their exclusive economic zones, economic infrastructure, human settlements and culture,

Reaffirming the Programme for the Further Implementation of Agenda 21 adopted by the General Assembly at its nineteenth special session held from 23 to 28 June 1997[121] and resolution 5/1 adopted by the Commission on Sustainable Development at its fifth session, held from 7 to 25 April 1997,[122]

Reaffirming also the decision taken at its nineteenth special session[123] to convene a two-day special session, preceding its fifty-fourth session, for the review and appraisal of the Programme of Action for the Sustainable Development of Small Island Developing States,[124]

1. *Takes note* of the report of the Secretary-General,[125] and welcomes in particular the action that has been taken by the Department of Economic and Social Affairs of the Secretariat to support the system-wide implementation of the Programme of Action for the Sustainable Development of Small Island Developing States;[124]

2. *Welcomes* the action of the Secretary-General to restructure the Small Island Developing States Unit within the above-mentioned Department in accordance with General Assembly resolutions 49/122 of 19 December 1994 and 51/183 and his proposal to suitably strengthen the Unit;[126]

3. *Appreciates* the support that has been provided by the Commission on Sustainable Development in following up

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[117] Ibid., decision III/6.

[118] Ibid., decision III/9.

[119] See A/51/312, annex II, decision II/17.

[120] See A/52/441, annex II, decision III/24.

[121] Resolution S-19/2, annex.

[122] See *Official Records of the Economic and Social Council, 1997, Supplement No. 9* (E/1997/29), chap. I.

[123] Resolution S-19/2, annex, para. 71.

[124] *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April-6 May 1994* (United Nations publication, Sales No. 94.I.18 and corrigenda), chap. I, resolution 1, annex II.

[125] A/52/319.

[126] Ibid., para. 20.

the implementation of the Programme of Action in accordance with resolution 49/122 and the Programme of Action itself, and welcomes the multi-year programme of work for the Commission on Sustainable Development, 1998-2002, as adopted by the Assembly at its nineteenth special session,[127] pursuant to which the Commission will, *inter alia*, review the outstanding chapters of the Programme of Action;

4. *Decides* to invite States members of the specialized agencies that are not members of the United Nations to participate in the two-day special session for the review and appraisal of the Barbados Programme of Action, and in the preparatory meetings therefor in the capacity of observers;

5. *Welcomes* the progress made by the United Nations Development Programme in implementing resolution 49/122, invites the Programme to continue to implement all the provisions of the technical assistance programme, known as SIDSTAP, and the small island developing States information network, known as SIDSNET, and welcomes the regional and subregional efforts by small island developing States that have enabled the commencement of the implementation of both programmes;

6. *Also welcomes* the actions taken by the regional commissions and organizations in support of activities related to the outcome of the Global Conference on the Sustainable Development of Small Island Developing States;

7. *Requests* the Secretary-General to ensure that the United Nations Conference on Trade and Development continues to have the strengthened capacity to carry out, in accordance with its mandate, the research and analysis necessary to complement the work of the Department of Economic and Social Affairs with respect to the implementation of the Programme of Action, and in that context notes with satisfaction the strengthening of the Office of the Special Coordinator for Least Developed, Landlocked and Island Developing Countries as reflected in the above-mentioned report of the Secretary-General, following the recent restructuring of the Conference;[126]

8. *Calls upon* Governments, as well as the organs, organizations and bodies of the United Nations system, other intergovernmental organizations and non-governmental organizations, to continue to take the necessary actions for effective follow-up to the Barbados Programme of Action, including action to ensure the provision of the means of implementation under chapter XV thereof, the commitments and recommendations that were made at the Global Conference, and the modalities that it adopted for the full and comprehensive review of the Programme of Action;

9. *Takes note with appreciation* of modalities that have been instituted by the Department of Economic and Social Affairs, in collaboration with the United Nations Development Programme, to mobilize resources, including technical capacity for small island developing States, with respect to the further implementation of the Programme of Action, and in that regard requests the Secretary-General to implement fully the relevant provisions of General Assembly resolutions 51/183 and 51/185 of 16 December 1996;

10. *Calls upon* the bilateral and multilateral donor communities to mobilize adequate financial resources to supplement efforts by small island developing States, at both the national and the regional levels, in the implementation of the programmes referred to in paragraph 5 above, including support to existing regional and subregional institutions;

11. *Welcomes* the action taken by the Department of Economic and Social Affairs, in collaboration with the United Nations Development Programme, as regards a meeting between representatives of small island developing States and prospective bilateral and multilateral donors, and stresses the need for further collaboration among small island developing States and agencies, funds and programmes of the United Nations system to facilitate preparation of project portfolios;[128]

12. *Requests* the secretariat of the International Decade for Natural Disaster Reduction, in cooperation with the international community, to enhance efforts in respect of coordination activities within the United Nations system and to strengthen national and regional partnerships for a disaster reduction strategy for the twenty-first century,[129] including requirements for effective disaster reduction and prevention capacities and measures for small island developing States in line with resolution 51/183;

13. *Urges* the international donor community, including international financial institutions, to support adaptation efforts by small island developing States to cope with the threatening sea-level rise that may be experienced as a consequence of the impact of greenhouse gas emissions into the atmosphere;

14. *Welcomes* the activities undertaken by the Global Environment Facility, in accordance with its operational strategy, and invites it, in accordance with relevant provisions of the United Nations Framework Convention on Climate Change[130] and the Convention on Biological Diversity,[131] and the decisions of its Council, to support further the objectives of the Barbados Programme of Action;

15. *Notes* the progress in the development and compilation of a vulnerability index for small island developing States, in collaboration with the United Nations Conference on Trade and Development and other relevant organizations, and invites all relevant actors to continue to support the Department of Economic and Social Affairs on further work in refining the index, as necessary;[132]

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[127] Resolution S-19/2, annex, appendix.

[128] A/52/319, paras. 8-10.

[129] Ibid., para. 14.

[130] A/AC.237/18 (Part II)/Add.1 and Corr.1, annex I.

[131] See United Nations Environment Programme, *Convention on Biological Diversity* (Environmental Law and Institution Programme Activity Centre), June 1992.

[132] A/52/319, paras. 3-7.

16. *Invites* the Commission on Sustainable Development, the United Nations Environment Programme and other relevant United Nations bodies, funds and programmes, and the World Tourism Organization, to develop urgently strategies with existing national, regional and subregional tourism organizations in small island developing States to further facilitate sustainable tourism development as an essential element towards an action-oriented international programme of work on sustainable tourism;

17. *Decides* to include in the provisional agenda of its fifty-third session, under the item entitled "Environment and sustainable development", the sub-item entitled "Implementation of the outcome of the Global Conference on the Sustainable Development of Small Island Developing States";

18. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report on actions taken to implement the present resolution and paragraph 10 of Assembly resolution 50/116 of 20 December 1995.

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52/203. Operational activities for development of the United Nations

The General Assembly,

Recalling its resolutions 44/211 of 22 December 1989, 47/199 of 22 December 1992, 50/120 of 20 December 1995 and 50/227 of 24 May 1996, as well as Economic and Social Council resolution 1997/59 of 24 July 1997 and other relevant resolutions,

Reaffirming that operational activities for development within the United Nations system have a critical and unique role to play in enabling developing countries to continue to take a lead in the management of their own development process and that the funds and programmes constitute important vehicles for advancing international development cooperation,

Recalling that the General Assembly is the highest intergovernmental mechanism for the formulation and appraisal of policy matters relating to the economic, social and related fields, in accordance with Chapter IX of the Charter of the United Nations, and that the functions and powers of the Economic and Social Council are provided for in Chapters IX and X of the Charter and are elaborated in relevant Assembly resolutions, including resolutions 45/264 of 13 May 1991 and 48/162 of 20 December 1993, in which the Assembly defined the relationship between the Assembly, the Council and the executive boards of the funds and programmes, in particular the Council function of overall guidance and coordination of the operational activities for development of the United Nations system,

Stressing that the fundamental characteristics of the operational activities of the United Nations system should be, *inter alia*, their universal, voluntary and grant nature, their neutrality and their multilateralism, as well as their ability to respond to the needs of developing countries in a flexible manner, and that the operational activities of the United Nations system are carried out for the benefit of the developing countries, at the request of those countries and in accordance with their own policies and priorities for development,

Recognizing the need to take into account the individual mandates and complementarities of the organizations and bodies of the United Nations development system, and the priorities agreed upon in the executive boards of the funds and programmes,

Expressing serious concern at the persistent insufficiency of resources for operational activities for development of the United Nations system, in particular the decline in contributions to core resources,

Recognizing the need for priority allocation for scarce grant resources to programmes and projects in low-income countries, in particular the least developed countries,

Recognizing also that the United Nations development system should take into account the specific needs and requirements of the countries with economies in transition,

1. *Takes note* of the report of the Secretary-General on funding modalities of operational activities,[133] as requested by the Economic and Social Council;

2. *Strongly reaffirms* the need for a substantial increase in resources for operational activities for development on a predictable, continuous and assured basis, commensurate with the increasing needs of developing countries;

3. *Stresses* the need for a continuous overall improvement in the effectiveness, efficiency and impact of the United Nations system in delivering its development assistance, and welcomes steps that have been taken towards that end;

4. *Also stresses* that other countries that are in a position to do so should strive to augment their assistance in the framework of development cooperation;

5. *Recalls* that the executive boards of the United Nations funds and programmes, in accordance with resolution 50/227, should initiate work on reviewing their funding policies and strategies with a view to meeting their agreed targets, particularly of core resources as the main source of funding of operational activities;

6. *Calls upon* the governing bodies of the United Nations Development Programme, the United Nations Children's Fund, the United Nations Population Fund and the World Food Programme to adopt a specific and achievable target for core resources for the period 1999-2001, taking into account the relationship between their programme arrangements and financial plans;

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[133] A/52/431.

7. *Urges* the executive boards to complete the review as soon as possible and to report thereon to the Economic and Social Council at its substantive session of 1998;

8. *Acknowledges* the supplementary role of non-core resources in enhancing the financing of the United Nations operational activities for development;

9. *Requests* the Secretary-General, when presenting his comprehensive report on the triennial policy review of operational activities for development of the United Nations system at the fifty-third session of the General Assembly, to consider the implications of steps adopted by the United Nations system to implement reform initiatives on operational activities, and to make recommendations for their effective and expeditious implementation, bearing in mind the views of Member States;

10. *Also requests* the funds and programmes, in their regular reporting on the triennial policy review to the General Assembly through the Economic and Social Council, to include in their reports, to the extent possible and in a clearly identifiable way, actions taken to implement adopted reform measures of the Secretary-General, including an analysis of the implications of those reforms for operational activities as well as for inter-agency coordination;

11. *Welcomes* the ongoing efforts of the Secretariat to seek information from Member States on all issues to be considered by the triennial policy review, invites Member States to actively participate in that important data-collection exercise, including through timely completion of the relevant questionnaire, and to the extent needed requests the resident coordinators to facilitate its successful implementation;

12. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session, through the Economic and Social Council, a comprehensive analysis of the implementation of its resolution 50/120, as well as subsequent relevant decisions and resolutions of the General Assembly and the Economic and Social Council, in the context of the triennial policy review, and to make appropriate recommendations.

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52/204. Cooperation between the United Nations and the Southern African Development Community

The General Assembly,

Reaffirming its resolution 37/248 of 21 December 1982, and all other relevant General Assembly resolutions on the promotion of cooperation between the United Nations and the Southern African Development Community,

Welcoming the strengthening of the Community through the admission of the Democratic Republic of the Congo and Seychelles as member States,

Welcoming also the creation of the Organ on Politics, Defence and Security, as part of the Community, and its role in conflict prevention and the maintenance of peace, which are essential for development within the region,

Recognizing the strengthening of democratic governance and other positive developments, including the consolidation of the peace process and the enhancement of democracy and the respect for the rule of law in the region,

Commending States members of the Community for demonstrating continued commitment to deeper and more formal arrangements for cooperation among themselves,

Reaffirming that the successful implementation of the development programmes of the Community can be achieved only if the Community has adequate resources at its disposal,

Noting that the effects of war, loss of life and destruction of economic and social infrastructures in southern Africa demand the continuation and strengthening of rehabilitation programmes to regenerate the economies of the countries of the region,

Noting with grave concern the recurrence of drought in the areas, the re-emergence of the El Niño phenomenon, with its probable effect of drought, and the risk of increased poverty, in particular in rural areas,

Welcoming with satisfaction the regional Food Security Strategy which regards poverty eradication as a prime concern, and in particular addresses the issues of improving access to food and nutrition,

Recognizing the valuable and effective economic and financial contribution that some organs, organizations and bodies of the United Nations system have made to complement national and subregional efforts to advance the process of democratization, rehabilitation and development in southern Africa,

Noting that the situation in Angola has recently become a source of great concern and that, despite earlier successes in the implementation of certain aspects of the Angolan peace process, that situation is still deteriorating,

Expressing its grave concern at the serious difficulties in the peace process in Angola, caused primarily by the slowness of the União Nacional para a Independência Total de Angola in implementing the Lusaka Protocol,[134] which are hampering efforts towards economic rehabilitation and national reconstruction as well as regional development projects,

Recognizing the risks, new challenges and opportunities posed by the process of globalization and liberalization on the economies of the region,

Noting the measures being taken by the Community in addressing the human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) pandemic,

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[134] See *Official Records of the Security Council, Forty-ninth Year, Supplement for October, November and December 1994*, document S/1994/1441.

Welcoming the recognition at the regional level of the important role that women play in the development of the region, and taking note of the Declaration on Gender and Development adopted by the Community at its seventeenth Summit Meeting of Heads of State or Government at Blantyre, Malawi, on 8 September 1997,

1. *Takes note* of the report of the Secretary-General;[135]

2. *Commends* the States Members of the United Nations and organs, organizations and bodies of the United Nations system that have maintained, enhanced and initiated development cooperation with the Southern African Development Community;

3. *Calls upon* the States Members of the United Nations and organs, organizations and bodies of the United Nations system that have not yet established contact and relationships with the Community to explore the possibility of doing so;

4. *Expresses its appreciation* to the international community for the financial, technical and material support given to the Community;

5. *Renews its appeal* to the international community to maintain current levels of, and increase where appropriate, its financial, technical and material support to the Community in order to enable it to implement fully its programme of action and to meet the reconstruction and rehabilitation needs of the region;

6. *Appeals* to the international community and to relevant organizations and bodies of the United Nations system to extend appropriate assistance to the Community in order to enable it to advance further the process of regional economic integration;

7. *Welcomes* the economic and political achievements and reforms undertaken within the Community, including the implementation of its programme of action, which are intended to address better the challenges of regional cooperation and integration now and into the next millennium;

8. *Also welcomes* the Community's efforts to make southern Africa a landmine-free zone, which resulted from a decision of the Community to de-mine the region and reclaim the land for productive purposes, and in this context takes note of the Declaration on Anti-personnel Landmines issued by the Community at its seventeenth Summit Meeting of Heads of State or Government at Blantyre, Malawi, on 8 September 1997, and appeals to the United Nations, its related bodies and the international community to assist and support the Community in its efforts;

9. *Appeals* to the United Nations, its related organs and the international community to assist the Community, with the appropriate resources, in implementing the programmes and decisions adopted by various United Nations world conferences, with specific emphasis on the enhancement of the role of women in the development process;

10. *Appeals* to the international community as well as to the United Nations system to continue to extend much-needed assistance to those countries of the Community that are engaged in the process of national reconstruction so as to enable them to consolidate their efforts to establish a democracy and enhance the implementation of their national development programmes;

11. *Expresses its appreciation* for the substantial contributions of Member States, United Nations organizations and non-governmental organizations towards meeting the needs of the Angolan people, and encourages additional substantial contributions;

12. *Appeals* to the international community to comply with all relevant Security Council resolutions on Angola pertaining to the peace process, which, together with other efforts, would facilitate the process of rehabilitation and reconstruction of the Angolan economy;

13. *Expresses its conviction* of the importance of sound, inclusive development strategies to avoid conflict and dislocation, recognizes the value of international cooperation, peacemaking and peacekeeping efforts, and stresses the need for the international community to continue to assist those countries receiving refugees in coping with the resulting economic, social, humanitarian and environmental challenges;

14. *Appeals* to the United Nations and the international community to assist in the strengthening of the region's capacity for sustainable water resource management and to respond generously with respect to the drought situation in southern Africa, so that famine may be averted in the region, by supporting the region in its drought preparedness and management strategies, especially through the strengthening of its capacity in drought mitigation, drought-monitoring, early warning and preparedness;

15. *Appeals* to the United Nations, its related organs and the international community to extend appropriate assistance to the Community Water Sector and to States members of the Community in order that they may advance further in the implementation of the Protocol on Shared Watercourse Systems of 1995 and in their preparations for the Community Water Sector Round-table Conference scheduled for October 1998;

16. *Calls upon* the international community to consider supporting the creation of special economic zones and development corridors in the Community, especially the Maputo Development Corridor,[136] which is already under implementation with the active participation of the private sector;

17. *Requests* the Secretary-General, in consultation with the Executive Secretary of the Southern African Development

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[135] A/52/400.

[136] See A/52/400, paras. 28 and 29.

Community, to continue to intensify contacts aimed at promoting and harmonizing cooperation between the United Nations and the Community;

18. *Also requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution.

77th plenary meeting
18 December 1997

52/205. Economic and technical cooperation among developing countries

The General Assembly,

Reaffirming its resolutions 33/134 of 19 December 1978, in which it endorsed the Buenos Aires Plan of Action for Promoting and Implementing Technical Cooperation among Developing Countries,[137] 46/159 of 19 December 1991 on technical cooperation among developing countries, 49/96 of 19 December 1994 on a United Nations conference on South-South cooperation and 50/119 of 20 December 1995 on economic and technical cooperation among developing countries and a United Nations conference on South-South cooperation, as well as other relevant resolutions of the General Assembly and the Economic and Social Council on economic and technical cooperation among developing countries,

Reaffirming also that South-South cooperation constitutes an important element of international cooperation for development and is an essential basis for national and collective self-reliance as well as a means of ensuring the effective integration and participation of developing countries in the world economy and that it is not a substitute for, but rather complementary to, North-South cooperation,

Recognizing the fact that developing countries have the primary responsibility for promoting and implementing economic and technical cooperation among themselves, and reiterating the need for the international community to support the efforts of the developing countries to expand South-South cooperation through the modality of economic and technical cooperation among developing countries,

Taking note of the decisions and recommendations contained in the Final Document of the Eleventh Conference of Heads of State or Government of the Non-Aligned Countries,[138] held at Cartagena de Indias, Colombia, from 18 to 20 October 1995, and in this context welcoming the operationalization of the Non-Aligned Movement Centre for South-South Technical Cooperation, in Jakarta in 1998, and inviting all development partners to make use of and give support, as appropriate, to the Centre,

Taking note also of the Declaration adopted by the Ministers for Foreign Affairs of the Group of 77 at their twenty-first annual meeting,[139] held in New York on 26 September 1997, in which the Ministers emphasized the increasing importance and complementarity of economic and technical cooperation among developing countries as a means of supporting and broadening the global partnership in international development cooperation,

Welcoming the San José Declaration and Plan of Action[140] adopted by the Group of 77 at the South-South Conference on Trade, Investment and Finance, held at San José, Costa Rica, from 13 to 15 January 1997, which outlined concrete modalities on sectoral issues relating to trade, finance, investment and enterprise cooperation,

Also welcoming the outcome of the Second Asia-Africa Forum,[141] held at Bangkok from 11 to 13 June 1997, as a mechanism to strengthen South-South cooperation, as well as the convening of the Second Tokyo International Conference on African Development in Japan in October 1998,[142] and calling upon the international community to reaffirm its commitment in supporting Africa's development efforts,

1. *Endorses* the report of the High-level Committee on the Review of Technical Cooperation among Developing Countries on its tenth session[143] and the decisions adopted by the High-level Committee at that session;[144]

2. *Takes note* of the report of the Secretary-General on the state of South-South cooperation,[145] which provides a comprehensive and systematic overview and analysis of economic cooperation among developing countries in the context of South-South cooperation worldwide and of United Nations system support for such cooperation;

3. *Also takes note* of the draft revised Guidelines for the Review of Policies and Procedures concerning Technical Cooperation among Developing Countries,[146] submitted by the Administrative Committee on Coordination, and recommends that the draft revised Guidelines be submitted through the Economic and Social Council to the General Assembly at its fifty-third session in the context of the triennial policy review of operational activities for development of the United Nations system;

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[137] *Report of the United Nations Conference on Technical Cooperation among Developing Countries, Buenos Aires, 30 August-12 September 1978* (United Nations publication, Sales No. E.78.II.A.11 and corrigendum), chap. I.

[138] A/50/752-S/1995/1035, annex III; see *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/1035.

[139] A/52/460, annex.

[140] A/C.2/52/8, annex.

[141] See A/52/572.

[142] See A/C.2/52/9.

[143] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 39* (A/52/39).

[144] Ibid., annex I.

[145] A/52/402.

[146] E/1997/110, annex.

4. *Invites* the United Nations Conference on Trade and Development and the Special Unit for Technical Cooperation among Developing Countries of the United Nations Development Programme, as well as other relevant organizations, taking into account their agreed mandates, work programmes and priorities, to undertake jointly further work on formulating concrete recommendations on the implementation of and follow-up to the San José Declaration and Plan of Action[140] adopted by the Group of 77 at the South-South Conference on Trade, Investment and Finance;

5. *Stresses* the need to intensify the process of strengthening the various interregional dialogues and the exchange of experiences among subregional and regional economic groupings for the purposes of expanding South-South cooperation through integrating the modalities of economic and technical cooperation among developing countries;

6. *Calls upon* all Governments and relevant United Nations organizations, including the multilateral financial institutions, to consider increasing allocations for economic and technical cooperation among developing countries and to identify new funding modalities to promote South-South cooperation, such as triangular cooperation and private sector funding;

7. *Welcomes* the contribution made by some countries to the Voluntary Trust Fund for the Promotion of South-South Cooperation, and invites all countries, including developed countries, to contribute to the Trust Fund;

8. *Urges* the organizations and bodies of the United Nations system, and invites other relevant intergovernmental organizations involved in international development cooperation, to make concerted and vigorous efforts to mainstream the implementation of modalities of economic and technical cooperation among developing countries by giving them full consideration in the design, formulation, implementation and evaluation of programmes and projects in their operational activities;

9. *Decides* to hold a one-day commemorative meeting at the beginning of the fifty-third session of the General Assembly, in accordance with the relevant paragraphs of the first report of the General Committee,[147] to mark the occasion of the twentieth anniversary of the adoption of the Buenos Aires Plan of Action for Promoting and Implementing Technical Cooperation among Developing Countries,[137] and to that effect requests the Special Unit for Technical Cooperation among Developing Countries, in its capacity as substantive secretariat of the High-level Committee on the Review of Technical Cooperation among Developing Countries and system-wide coordinator on technical cooperation among developing countries, to be responsible for the preparation and organization of the commemorative meeting, including the provision of adequate documentation, in consultation with Member States and relevant organizations and agencies of the United Nations system;

10. *Also decides* to include in the provisional agenda of its fifty-third session an item entitled "Commemorative meeting of the twentieth anniversary of the adoption of the Buenos Aires Plan of Action for Promoting and Implementing Technical Cooperation among Developing Countries";

11. *Requests* the Secretary-General, in cooperation with the Special Unit for Technical Cooperation among Developing Countries and in consultation with Member States and relevant organizations and agencies of the United Nations system, to incorporate into his report for the triennial policy review of operational activities for development, for consideration at the fifty-third session of the General Assembly, an assessment and recommendations aimed at further strengthening the integration of the modalities of economic and technical cooperation among developing countries into the operational activities of the United Nations system, with a view to enhancing the global partnership in international development cooperation;

12. *Decides* to include in the provisional agenda of its fifty-fourth session the sub-item entitled "Economic and technical cooperation among developing countries", and in that context requests the Secretary-General to report to it at that session on the implementation of the present resolution.

77th plenary meeting
18 December 1997

52/206. United Nations Institute for Training and Research

The General Assembly,

Recalling its resolutions 47/227 of 8 April 1993, 48/207 of 21 December 1993, 49/125 of 19 December 1994, 50/121 of 20 December 1995 and 51/188 of 16 December 1996,

Having considered the report of the Secretary-General,[148] the report of the Board of Trustees of the United Nations Institute for Training and Research on the activities of the Institute[149] and the report of the Joint Inspection Unit,[150]

Welcoming the successful restructuring of the Institute and the recent progress made by the Institute in its various programmes and activities, including the improved cooperation that has been established with other organizations of the United Nations system and with regional and national institutions,

Expressing its appreciation to the Governments and private institutions that have made or pledged financial and other contributions to the Institute,

Reiterating that the funding of training programmes offered at the specific request of States or departments and units of the Organization and other organs of the United

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[147] A/52/250.

[148] A/52/492.

[149] A/52/367, annex.

[150] A/52/559, annex.

Nations system and the specialized agencies should be arranged by the requesting parties,

Recognizing that training activities should be accorded a more visible and larger role in support of the management of international affairs and in the execution of the economic and social development programmes of the United Nations system,

1. *Reaffirms* the relevance of the United Nations Institute for Training and Research in view of the growing importance of training within the United Nations and the training requirements of States, and the pertinence of research activities related to training undertaken by the Institute within its mandate;

2. *Invites* the Institute to strengthen further its cooperation with other United Nations institutes and relevant national, regional and international institutes, as well as with projects;

3. *Renews its appeal* to all Governments and to private institutions that have not yet contributed financially or otherwise to the Institute to give it their generous financial and other support, and urges the States that interrupted their voluntary contributions to consider resuming them in the light of the successful restructuring and revitalization of the Institute;

4. *Stresses* the need for an effective division of labour among the main training and research institutions of the United Nations system, taking into account the distinct and complementary mandates of the United Nations University, the United Nations Institute for Training and Research and the United Nations Staff College Project, and in this regard notes the recommendations of the Joint Inspection Unit;

5. *Also stresses* the need for better coordination among the main training and research institutions of the United Nations system, and in this regard notes the recommendations of the Joint Inspection Unit;

6. *Further stresses* in this regard the need for the General Assembly to consider all major training issues in a coherent manner without prejudice to its resolution 50/227 of 24 May 1996;

7. *Welcomes* the initiative of the Board of Trustees and the Executive Director to explore the possibilities for the Institute to become a partner of the agencies and bodies of the United Nations system with respect to their training programmes, especially for developing countries and countries with economies in transition, consistent with the division of labour;

8. *Requests* the Board of Trustees to attract, to the extent possible, experts from developing countries and countries with economies in transition for the preparation of the relevant training materials for the programmes and activities of the Institute;

9. *Calls upon* the Secretary-General to explore all possible ways and means to provide additional facilities to the Institute for conducting programmes and training courses that are provided at no cost to States and to their representatives accredited to United Nations offices in New York, Nairobi, Geneva and Vienna;

10. *Requests* the Secretary-General, in consultation with the Institute, as well as with the United Nations funds and programmes, to explore ways and modalities to utilize systematically the Institute in the execution of training and capacity-building programmes;

11. *Also requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

77th plenary meeting
18 December 1997

52/207. Permanent sovereignty of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources

The General Assembly,

Recalling its resolution 51/190 of 16 December 1996 and Economic and Social Council resolution 1997/67 of 25 July 1997,

Reaffirming the principle of the permanent sovereignty of peoples under foreign occupation over their natural resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967, 465 (1980) of 1 March 1980 and 497 (1981) of 17 December 1981,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[151] to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Expressing its concern at the exploitation by Israel, the occupying Power, of the natural resources of the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Aware of the additional, detrimental economic and social impact of the Israeli settlements on Palestinian and other Arab natural resources, especially the confiscation of land and the forced diversion of water resources,

Expressing its concern at the difficulties facing the Middle East peace process which started at Madrid on 30 October 1991 and which is based on Security Council resolutions 242 (1967), 338 (1973) of 22 October 1973 and 425 (1978) of 19 March 1978 and the principle of land for peace, as well as concern over the lack of implementation of the Declaration of Principles on Interim Self-Government Arrangements, signed in Washington, D.C., on 13 September 1993,[152] and the Interim Agreement on the West Bank and the Gaza Strip, of 28 September 1995,[153]

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[151] United Nations, *Treaty Series*, vol. 75, No. 973.

1. *Takes note* of the report transmitted by the Secretary-General;[154]

2. *Reaffirms* the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan over their natural resources, including land and water;

3. *Calls upon* Israel, the occupying Power, not to exploit, to cause loss or depletion of or to endanger the natural resources in the occupied Palestinian territory, including Jerusalem, and in the occupied Syrian Golan;

4. *Recognizes* the right of the Palestinian people to claim restitution as a result of any exploitation, loss or depletion of, or danger to, their natural resources, and expresses the hope that this issue will be dealt with in the framework of the final status negotiation between the Palestinian and Israeli sides;

5. *Requests* the Secretary-General to report to it at its fifty-third session on the implementation of the present resolution, and decides to include in the agenda of its fifty-third session the item entitled "Permanent sovereignty of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources".

77th plenary meeting
18 December 1997

52/208. Industrial development cooperation: Second Industrial Development Decade for Africa

The General Assembly,

Recalling the Declaration on International Economic Cooperation, in particular the Revitalization of Economic Growth and Development of the Developing Countries,[155] the International Development Strategy for the Fourth United Nations Development Decade[156] and the United Nations New Agenda for the Development of Africa in the 1990s,[157]

Taking note of the declaration adopted by the Ministers for Foreign Affairs of countries members of the Group of 77 at their twenty-first annual meeting, held in New York on 26 September 1997,[158] the communiqué adopted in New York on 25 September 1997 at the Meeting of Ministers for Foreign Affairs and Heads of Delegation of Non-Aligned Countries to the fifty-second session of the General Assembly[159] and the Declaration on Africa's Industrialization, adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its thirty-third ordinary session, held at Harare from 2 to 4 June 1997,[160] concerning the importance of industrial development for developing countries, especially those in Africa, and the essential role of the United Nations Industrial Development Organization in this regard,

Reaffirming its resolution 50/94 of 20 December 1995 on the Second Industrial Development Decade for Africa, in which it requested the Secretary-General to report to it at its fifty-second session on the implementation of the resolution, and its resolution 51/170 of 16 December 1996,

Recognizing the importance of industrialization as a key element in promoting sustained economic growth and sustainable development in Africa, in accordance with relevant General Assembly resolutions and recent United Nations conferences, as well as its role in facilitating efforts for the eradication of poverty, the integration of women in the development process and the creation of productive employment,

Recognizing also the increasing role of the business community, including the private sector, in particular small and medium-sized enterprises, in enhancing the dynamic process of the development of the industrial sector,

Taking note of the Plan of Action for the Alliance for Africa's Industrialization, adopted by the Conference of African Ministers of Industry at its thirteenth meeting, held at Accra in May 1997,[161]

Emphasizing the continuing need for the mobilization of adequate resources through domestic and international initiatives for the implementation of the programme for the Second Decade, including a favourable climate for foreign direct investment, private sector development, small and medium-sized enterprises and enhanced market access, and recognizing the need for African countries to use both human and financial resources more effectively in the process of industrialization,

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[152] A/48/486-S/26560, annex; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560.

[153] A/51/889-S/1997/357, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/357.

[154] A/52/172-E/1997/71 and Corr. 1, annex.

[155] Resolution S-18/3, annex.

[156] Resolution 45/199, annex.

[157] Resolution 46/151, annex, sect. II.

[158] A/52/460, annex.

[159] A/52/447-S/1997/775, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for October, November and December 1997*, document S/1997/775.

[160] A/52/465, annex II, document AHG/Decl.4 (XXXIII).

[161] See A/52/480, sect. IV.C.

1. *Takes note* of the report of the Secretary-General on the implementation of the programme for the Second Industrial Development Decade for Africa (1993-2002);[162]

2. *Calls upon* all Member States to support the implementation of the programme for the Second Decade and the Plan of Action for the Alliance for Africa's Industrialization, taking into account the results of the mid-term review of the Second Decade;

3. *Invites* donor countries, United Nations funds and programmes, all relevant United Nations organizations and the private sector to participate in a meeting of donors to be organized by the United Nations Industrial Development Organization in collaboration with the Economic Commission for Africa, the United Nations Development Programme and the Organization of African Unity, under the leadership of the African Development Bank and in cooperation with the World Bank;

4. *Appeals* to the international community and the relevant organizations and bodies of the United Nations system, in particular the United Nations Industrial Development Organization and the Economic Commission for Africa, in accordance with their agreed mandates, work programmes and priorities, to support the programmes of the African countries to intensify and expand industrial cooperation among themselves;

5. *Urges* African Member States to integrate the objectives of the Alliance for Africa's Industrialization into their national plans and in the establishment of institutional capacity for the formulation of mechanisms to follow up and monitor programmes and projects, including, where appropriate, the involvement of the private sector;

6. *Requests* the United Nations Industrial Development Organization, the Economic Commission for Africa and other relevant United Nations organizations, in accordance with their agreed mandates, work programmes and priorities, to work closely with Governments and the private sector in Africa at the national, regional and international levels to foster industrial production and development;

7. *Calls upon* the United Nations Industrial Development Organization and the Economic Commission for Africa, in accordance with their agreed mandates, work programmes and priorities, to strengthen their coordination with the United Nations Development Programme and other United Nations agencies and donors, with a view to accelerating the implementation of the programme and goals of the Second Decade;

8. *Requests* the Secretary-General to submit to the General Assembly at its fifty-fourth session a report on the implementation of the present resolution.

77th plenary meeting
18 December 1997

52/210. Report of the Committee for Development Planning

The General Assembly,

Recalling its resolution 46/206 of 20 December 1991 on the report of the Committee for Development Planning and criteria for identifying the least developed countries,

Taking note of subparagraph (*a*) of Economic and Social Council decision 1997/223 of 18 July 1997, by which the Council endorsed the recommendation of the Committee for Development Planning that Vanuatu be graduated from the list of least developed countries,

Taking note also of subparagraph (*b*) of Economic and Social Council decision 1997/223,

Taking note further of the content of the letter of the Prime Minister of Vanuatu[163] advancing reasons to support his position that the review of the status of Vanuatu should be deferred until the year 2000,

Taking note of the decision of the Committee for Development Planning, in accordance with General Assembly resolution 51/183 of 16 December 1996, to examine,[164] as part of its work programme for 1997-1998, the report to be prepared by the Secretary-General on the vulnerability index for small island developing States and to consider the usefulness of such an index as a criterion for the designation of least developed countries in its examination of issues related to improvements to the criteria and methodology for the designation of least developed countries,[165]

Taking into account statements made by several delegations during the debate on the report of the Economic and Social Council at the meetings of the Second Committee on 11 November 1997,[166]

1. *Reaffirms* paragraphs 4 and 5 of its resolution 46/206 relating to transitional arrangements;

2. *Welcomes* the convening in New York from 17 to 19 December 1997 of Working Group III of the Committee for Development Planning to review the results of the technical work and the outcome of the expert group meeting concerning the vulnerability index, as requested by the General Assembly in its resolution 51/183;

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[162] A/52/480.

[163] A/C.2/52/5, annex, appendix.

[164] Recognizing, without prejudice, the Economic and Social Council review of its subsidiary bodies, as initiated under General Assembly resolution 50/227, bearing in mind other relevant Assembly resolutions.

[165] *Official Records of the Economic and Social Council, 1997, Supplement No. 15* (E/1997/35), para. 241 (*c*).

[166] See *Official Records of the General Assembly, Fifty-second Session, Second Committee*, 36th and 37th meetings (A/C.2/52/SR.36 and 37), and corrigendum.

3. *Decides* to postpone its consideration of subparagraph (*a*) of Economic and Social Council decision 1997/223, in consideration of the views and recommendations to be submitted by the Committee for Development Planning to the General Assembly at its fifty-third session, through the Economic and Social Council, in accordance with paragraphs 9 and 10 of resolution 51/183, on the usefulness of the vulnerability index as a criterion for the designation of least developed countries and without prejudice to the full development and examination of the vulnerability index and its potential application in assessing the graduation of Vanuatu, a small island developing State, from the list of least developed countries, and to take a decision accordingly.

77th plenary meeting
18 December 1997

V. RESOLUTIONS ADOPTED ON THE REPORTS OF THE THIRD COMMITTEE

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52/80. International Year of Older Persons: towards a society for all ages

The General Assembly,

Recalling its resolution 47/5 of 16 October 1992, in which it decided to observe the year 1999 as the International Year of Older Persons,

Recalling also its resolution 40/30 of 29 November 1985, in which it expressed its conviction that older persons must be considered an important and necessary element in the development process at all levels within a given society,

Mindful of the need to promote adherence to the United Nations Principles for Older Persons, as adopted by its resolution 46/91 of 16 December 1991,

Recalling Economic and Social Council resolution 1993/22 of 27 July 1993, in which the Council invited Member States to strengthen their national mechanisms on ageing, *inter alia*, to enable them to serve as national focal points for the preparations for and observance of the Year,

Also recalling the relevant provisions of the Copenhagen Declaration and the Programme of Action of the World Summit for Social Development,[1] the Programme of Action of the International Conference on Population and Development[2] and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[3] as well as of the Beijing Declaration and the Platform for Action of the Fourth World Conference on Women[4] and the Habitat Agenda adopted by the second United Nations Conference on Human Settlements (Habitat II), held at Istanbul, Turkey, from 3 to 14 June 1996,[5]

Keeping in mind that the ageing of societies in the twentieth century, unprecedented in the history of humankind, is a major challenge for all societies and requires a fundamental change in the way in which societies organize themselves and view older persons,

1. *Encourages* all States, the United Nations system and all other actors, in reaching out for a future society for all ages, to take advantage of the International Year of Older Persons to increase awareness of the challenge of the demographic ageing of societies, the individual and social needs of older persons, the contribution of older persons to societies and the need for a change in attitudes towards older persons;

2. *Welcomes* the activities undertaken by States, United Nations organizations and bodies and non-governmental organizations in preparation for the observance of the Year, and encourages them to continue their efforts;

3. *Invites* States to take account of the increasing number, in absolute figures and in percentages, of older persons in need of help;

4. *Also invites* States to develop comprehensive strategies at the national, regional and local levels to meet the increase in demand for care and support for older persons as individuals, within their families and communities and within institutions, bearing in mind the changing socio-economic, technological and cultural environment;

5. *Encourages* States, with the support of United Nations organizations, bodies and programmes and of non-governmental organizations, to formulate policies and programmes on ageing with a view to offering older persons opportunities to utilize their experience and knowledge to promote a society for all ages based on solidarity between generations, so that they can contribute to and benefit from full participation in society;

6. *Also encourages* States to establish a national focal point and formulate national programmes for the Year, bearing in mind the conceptual framework referred to in its resolution 50/141 of 21 December 1995;

7. *Calls upon* States to include a gender dimension in their national programmes for the Year;

8. *Encourages* States to consider establishing ad hoc, broad-based national coordinating mechanisms for the Year in order to enhance, *inter alia*, collaboration with representatives of civil society;

9. *Invites* States to consider convening high-level and other meetings at the regional level to discuss the theme "A society for all ages";

10. *Invites* non-governmental organizations, including those specialized in the question of older persons, to develop programmes and projects for the Year, particularly at the local level, in cooperation, *inter alia*, with local authorities, community leaders, enterprises, the media and schools, and encourages them to support and participate in the appropriate national coordinating mechanisms;

11. *Encourages* relevant United Nations funds and programmes and the specialized agencies, non-governmental organizations and the private sector to support local, national and international programmes and projects for the Year, and also encourages them, in particular the United Nations Development Programme, as well as international financial institutions, to ensure that the concerns and contributions of older persons are integrated into their development programmes;

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[1] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[2] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[3] A/CONF.157/24 (Part I), chap. III.

[4] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[5] A/CONF.165/14, chap. I, annex II.

12. *Emphasizes* that activities for the Year should be initiated primarily at the national level;

13. *Invites* national and international development agencies, bodies and international financial institutions to explore feasible approaches to improving the access of older persons to credit training and appropriate technologies for income generation and the participation of older persons in family enterprises, community enterprises and microenterprises;

14. *Welcomes* contributions by the Commission on the Status of Women on the topic of older women in relation to the Year;

15. *Encourages* the Secretary-General to allocate sufficient resources for promoting and coordinating activities for the Year, bearing in mind its resolution 47/5, in which it was decided that observance of the Year would be supported from resources of the regular budget for the biennium 1998-1999 and from voluntary contributions;

16. *Invites* States to consider actively supporting the Secretariat in the preparation and implementation of the projects for the Year, *inter alia*, through voluntary financial or personnel contributions;

17. *Takes note with appreciation* of the report of the Secretary-General entitled "Operational framework for the International Year of Older Persons, 1999";[6]

18. *Welcomes* the initiative of the United Nations Educational, Scientific and Cultural Organization and the American Association of Retired Persons to collaborate on a worldwide poster competition for the Year, in which artists will portray their vision of "A society for all ages";

19. *Also welcomes* the continuing efforts of the Secretariat to promote information exchange for 1999 and beyond, *inter alia*, through regular publication of the *Bulletin on Ageing*, and invites the agencies, bodies and programmes of the United Nations system to consider placing special emphasis on the theme "A society for all ages" in their publications, including the *Human Development Report*;

20. *Invites* the Office of Communications and Public Information of the Secretariat to consider producing a logo and a press kit as well as an exhibit for the Year, and invites the United Nations Postal Administration to consider producing stamps on the theme "A society for all ages";

21. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the system-wide implementation of the present resolution;

22. *Also requests* the Secretary-General to officially launch the International Year for Older Persons in 1998, on the occasion of the International Day of Older Persons;

23. *Decides* to devote four plenary meetings at its fifty-fourth session to the follow-up to the Year, which should take place at an appropriate global policy-making level.

70th plenary meeting
12 December 1997

52/81. Follow-up to the International Year of the Family

The General Assembly,

Recalling its resolutions 44/82 of 8 December 1989, 46/92 of 16 December 1991, 47/237 of 20 September 1993 and 50/142 of 21 December 1995 concerning the proclamation, preparations for and observance of the International Year of the Family,

Recognizing that the basic objective of the follow-up to the International Year of the Family should be to strengthen and support families in performing their societal and developmental functions and to build upon their strengths, in particular at the national and local levels,

Noting that the family-related provisions of the outcomes of the world conferences of the 1990s provide policy guidance on ways to strengthen family-centred components of policies and programmes as part of an integrated comprehensive approach to development,

Emphasizing that equality between women and men and respect for the rights of all family members is essential to family well-being and to society at large,

1. *Takes note with appreciation* of the report of the Secretary-General on the International Year of the Family,[7] and welcomes the proposals contained therein;

2. *Invites* Governments to continue their actions to build family-friendly societies, *inter alia*, by promoting the rights of individual family members, in particular gender equality and the rights of the child;

3. *Emphasizes* the need for a more focused and coordinated approach towards family issues within the United Nations system;

4. *Calls upon* Governments, non-governmental organizations, other organizations of civil society, the private sector and individuals to contribute generously to the United Nations Trust Fund on Family Activities;

5. *Urges* Governments to take sustained action at all levels concerning families, including studies and applied research on families, and to promote the role of families in development, and invites Governments to develop concrete measures and approaches to address national priorities to deal with family issues;

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[6] A/52/328.

[7] A/52/57-E/1997/4.

6. *Recommends* that all relevant actors in civil society, including research and academic institutions, contribute to and participate in action on families;

7. *Requests* the Secretary-General to continue to play an active role in facilitating international cooperation within the framework of the follow-up to the International Year of the Family, to facilitate the exchange of experiences and information among Governments on effective policies and strategies, to facilitate technical assistance, with a focus on least developed and developing countries, and to encourage the organization of subregional and interregional meetings and relevant research;

8. *Calls upon* Governments to encourage the active follow-up to the International Year of the Family at the national and local levels;

9. *Reaffirms* Economic and Social Council resolution 1996/7 of 22 July 1996, in which the Council decided that the follow-up to the International Year of the Family should be an integral part of the multi-year programme of work of the Commission for Social Development.

70th plenary meeting
12 December 1997

52/82. Implementation of the World Programme of Action concerning Disabled Persons: towards a society for all in the twenty-first century

The General Assembly,

Recalling its resolutions 37/52 of 3 December 1982, by which it adopted the World Programme of Action concerning Disabled Persons,[8] and 49/153 of 23 December 1994 and 50/144 of 21 December 1995, in which it called upon Governments, when implementing the World Programme of Action, to take into account the elements suggested in the Long-term Strategy to Implement the World Programme of Action concerning Disabled Persons to the Year 2000 and Beyond,[9]

Recalling also its resolution 48/96 of 20 December 1993, by which it adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities,

Welcoming the inclusion of measures to address questions of disability in the programmes, plans and platforms for action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[10] the International Conference on Population and Development,[11] the World Summit for Social Development,[12] the Fourth World Conference on Women[13] and the second United Nations Conference on Human Settlements (Habitat II), held at Istanbul, Turkey, from 3 to 14 June 1996,[14]

Mindful of the need to adopt and implement effective public policies and programmes to promote the rights of persons with disabilities,

Convinced that the end of the century provides an opportunity for considering which issues to address in order to implement fully the Standard Rules on the Equalization of Opportunities for Persons with Disabilities,

Welcoming initiatives to hold international conferences related to disabled persons, in particular the holding of the Fifth World Assembly of Disabled Peoples' International at Mexico City in December 1998, on the theme "Towards an inclusive twenty-first century",

Recognizing the importance of timely and reliable data on disability for disability-sensitive policies, programme planning and evaluation and the need for further development of practical statistical methodology for data collection and compilation on populations with disabilities,

1. *Takes note with appreciation* of the report of the Secretary-General on the third quinquennial review and appraisal of the World Programme of Action concerning Disabled Persons,[15] and welcomes the conclusions and recommendations contained therein;

2. *Takes note* of Economic and Social Council resolutions 1997/19 of 21 July 1997 on equalization of opportunities for persons with disabilities and 1997/20 of 21 July 1997 on children with disabilities;

3. *Notes with appreciation* the valuable work undertaken by the Special Rapporteur for monitoring the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities of the Commission for Social Development, and welcomes the second round of monitoring the implementation of the Standard Rules the cooperation of the Special Rapporteur with the Commission on Human Rights, and especially with the Committee on the Rights of the Child;

4. *Encourages* Governments and the non-governmental community to examine key social and economic policy issues related to the equalization of opportunities for persons with disabilities, in particular, (*a*) accessibility, (*b*) social services and social safety nets and (*c*) employment and sustainable livelihoods;

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[8] A/37/351/Add.1 and Corr.1, annex, sect. VIII, recommendation 1 (IV).

[9] A/49/435, annex.

[10] See A/CONF.157/24 (Part I).

[11] See *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18).

[12] See *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8).

[13] See *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13).

[14] See A/CONF.165/14.

[15] A/52/351.

5. *Urges* Governments to cooperate with the Statistics Division of the Secretariat in the continued development of global statistics and indicators, and encourages them to avail themselves of the technical assistance of the Division, as needed;

6. *Urges* relevant bodies and organizations of the United Nations system, including relevant treaty bodies, such as the Committee on the Rights of the Child, the regional commissions and intergovernmental and non-governmental organizations and institutions, to work closely with the United Nations in the promotion of the rights of persons with disabilities by sharing experiences and findings on disability issues;

7. *Decides* that the next quinquennial review and appraisal of the World Programme of Action, in 2002, shall consider the issues mentioned in paragraph 4 above;

8. *Invites* Governments, concerned non-governmental organizations and the private sector to continue to support the United Nations Voluntary Fund on Disability, with a view to providing additional support to the implementation of the Standard Rules, including further assistance in national capacity-building and support for the work of the Special Rapporteur;

9. *Requests* the Secretary-General to develop a plan to increase the accessibility of the United Nations and its offices and meetings to persons with disabilities;

10. *Also requests* the Secretary-General to submit to the General Assembly at its fifty-fourth session, through the Commission for Social Development at its thirty-seventh session, a report on the implementation of the present resolution.

70th plenary meeting
12 December 1997

52/83. Policies and programmes involving youth

The General Assembly,

Recalling its resolution 50/81 of 14 December 1995 by which it adopted the World Programme of Action for Youth to the Year 2000 and Beyond,

Recalling also its resolutions 49/152 and 49/154 of 23 December 1994,

Reaffirming the importance of involving youth and youth organizations in all matters of concern to them,

Welcoming the report of the World Youth Forum of the United Nations system on its second session, convened by the United Nations in partnership with the Austrian Federal Youth Council, and held at Vienna from 25 to 29 November 1996,[16]

Noting that the third session of the World Youth Forum, convened by the United Nations in partnership with the Portuguese National Youth Council, will be held at Braga, Portugal, from 2 to 6 August 1998,

Reiterating the call, in paragraph 112 of the World Programme of Action, to all States that have not already done so to formulate and adopt an integrated national youth policy, in consultation with youth and youth-related organizations,

1. *Takes note with appreciation* of the report of the Secretary-General on the implementation of the World Programme of Action for Youth to the Year 2000 and Beyond;[17]

2. *Calls upon* all Member States to undertake all possible efforts to implement the World Programme of Action;

3. *Stresses again* the importance of the active and direct participation of youth and youth organizations at the local, national, regional and international levels in promoting and implementing the World Programme of Action and in evaluating the progress achieved and the obstacles encountered in its implementation and of the need to support the activities of youth mechanisms that have been set up by youth and youth organizations;

4. *Welcomes* the initiative of the Government of Portugal to host the World Conference of Ministers Responsible for Youth, to be held at Lisbon from 8 to 12 August 1998, and takes note with appreciation of the ongoing collaboration between the Government of Portugal and the United Nations, including its agencies, funds and programmes, in that regard;

5. *Stresses* the need to involve youth and youth organizations in all stages of preparation for the World Conference, at the local, national, regional and international levels, and welcomes initiatives taken in that respect;

6. *Acknowledges* the activities undertaken at the regional level in preparation for the World Conference;

7. *Recommends* that the results of the second session of the World Youth Forum of the United Nations system be duly taken into account at the World Conference;

8. *Notes with interest* that the outcome of the third session of the World Youth Forum will be presented at the World Conference;

9. *Reiterates* the call made in the World Programme of Action to Member States to consider including youth representatives in their delegations to the General Assembly and other relevant United Nations meetings, thus broadening the channels of communication and enhancing the discussion of youth-related issues, and requests the Secretary-General to convey this invitation to Member States;

10. *Requests* the Secretary-General to make the reports of the third session of the World Youth Forum and of the World Conference available to all Member States;

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[16] A/52/80-E/1997/14, annex.

[17] A/52/60-E/1997/6.

11. *Also requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution and, in particular, on progress made in the implementation of the World Programme of Action.

70th plenary meeting
12 December 1997

52/84. Education for all

The General Assembly,

Recalling that in the Universal Declaration of Human Rights,[18] the International Covenant on Economic, Social and Cultural Rights[19] and the Convention on the Rights of the Child[20] the right of every individual to education is recognized as inalienable,

Recalling also its resolutions 42/104 of 7 December 1987, by which it proclaimed 1990 as International Literacy Year, 44/127 of 15 December 1989, 46/93 of 16 December 1991 and 50/143 of 21 December 1995, in which it called for continuing international efforts to promote literacy,

Recalling further its resolution 45/126 of 14 December 1990, in which it called for strengthening efforts towards the elimination of illiteracy of women of all ages,

Mindful of the fact that eradication of illiteracy is one of the paramount objectives of the International Development Strategy for the Fourth United Nations Development Decade,[21]

Deeply concerned about the persistence of the gender gap in education which is reflected by the fact that nearly two thirds of the world's adult illiterates are women,

Convinced that literacy, especially functional literacy and adequate education, represents an indispensable element for the development and harnessing of science, technology and human resources for economic and social progress,

Recalling its resolution 49/184 of 23 December 1994, entitled "United Nations Decade for Human Rights Education", and taking note with satisfaction of resolution 1997/7 of 22 August 1997 of the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights on the realization of the right to education, including education in human rights,[22]

Confident that the International Literacy Year and the World Conference on Education for All, held at Jomtien, Thailand, in 1990, resulted in increased awareness and support for literacy efforts and became a turning point in the struggle for a literate world,

Underlining the importance of sustaining and further promoting the progress achieved since the International Literacy Year and the Jomtien Conference,

Welcoming the Amman Affirmation,[23] the final communiqué of the mid-decade meeting of the International Consultative Forum on Education for All, adopted at Amman in June 1996, which reaffirmed the necessity for and possibility of bringing the benefits of education to all,

Recognizing that, despite the significant progress in basic education, especially the increase in primary school enrolment coupled with a growing emphasis on the quality of education, major problems, both emerging and continuing, still persist which require even more forceful and concerted action at the national and international levels so as to achieve the goal of education for all,

1. *Takes note* of the report of the Secretary-General and the Director-General of the United Nations Educational, Scientific and Cultural Organization entitled "Progress report on the implementation process of the education for all objectives";[24]

2. *Reaffirms* that basic education for all is essential for achieving the goals of eradicating poverty, reducing child mortality, curbing population growth, achieving gender equality and ensuring sustainable development, peace and democracy;

3. *Acknowledges* the efforts of the mid-decade review of progress towards achieving the goals of education for all in identifying both continuing and emerging challenges, and stresses the need to meet those challenges and to accelerate the efforts to meet the basic needs of people of all age groups, particularly girls and women;

4. *Appeals* to all Governments to step up their efforts to eradicate illiteracy and to direct education towards the full development of the human personality and to the strengthening of respect for all human rights and fundamental freedoms;

5. *Also appeals* to all Governments to redouble their efforts to achieve their own goals of education for all by setting firm targets and timetables, where possible, including gender-specific education targets and programmes to combat the illiteracy of women and girls, and by working in active partnership with communities, associations, the media and development agencies, to reach those targets;

6. *Appeals anew* to Governments and to economic and financial organizations and institutions, both national and international, to lend greater financial and material support to the efforts to increase literacy and achieve education for all;

7. *Invites* Member States, the specialized agencies and other organizations of the United Nations system and relevant intergovernmental and non-governmental organizations to further intensify their efforts to effectively implement the

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[18] Resolution 217 A (III).

[19] See resolution 2200 A (XXI), annex.

[20] Resolution 44/25, annex.

[21] Resolution 45/199, annex.

[22] See E/CN.4/1998/2-E/CN.4/Sub.2/1997/50, chap. II, sect.A.

[23] A/52/183, annex.

[24] A/52/183.

World Declaration on Education for All,[25] the Amman Affirmation[23] and the Hamburg Declaration and the Agenda for the Future adopted at the Fifth International Conference on Adult Education, held at Hamburg, Germany, from 14 to 18 July 1997, as well as the relevant commitments and recommendations to promote literacy made at major United Nations-sponsored international conferences, with a view to better coordinating their activities and increasing their contribution to development;

8. *Recommends* that all Member States and relevant organizations of the United Nations, as well as non-governmental organizations, provide the necessary information on the implementation of the strategies of education for all to the Secretary-General and to the Director-General of the United Nations Educational, Scientific and Cultural Organization so as to enable them to report on the overall progress achieved and the shortfalls encountered in attaining the goal of education for all;

9. *Requests* the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization and in consultation with Member States, to consider effective ways and means for achieving the goal of education for all, including the desirability and the feasibility of launching a United Nations decade to eradicate illiteracy, and to report thereon to the General Assembly at its fifty-fourth session, through the Economic and Social Council;

10. *Decides* to include in the provisional agenda of its fifty-fourth session the question of cooperation towards education for all under the item on social development.

70th plenary meeting
12 December 1997

52/85. Follow-up to the Naples Political Declaration and Global Action Plan against Organized Transnational Crime

The General Assembly,

Recalling its resolution 49/159 of 23 December 1994, in which it approved the Naples Political Declaration and the Global Action Plan against Organized Transnational Crime, adopted by the World Ministerial Conference on Organized Transnational Crime, held at Naples, Italy, from 21 to 23 November 1994,[26]

Recalling also Economic and Social Council resolution 1996/27 of 24 July 1996, and bearing in mind Council resolution 1997/22 of 21 July 1997,

Recalling further its resolution 51/120 of 12 December 1996 on the question of the elaboration of an international convention against organized transnational crime,

Convinced of the importance of continuous action by Member States aimed at the full implementation of the Naples Political Declaration and Global Action Plan,

Reiterating the need for increased technical cooperation activities and the provision of practical assistance to requesting Member States for the implementation of the Naples Political Declaration and Global Action Plan,

1. *Takes note* of the reports of the Secretary-General, submitted to the Commission on Crime Prevention and Criminal Justice at its sixth session, on the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime[27] and on the question of the elaboration of an international convention against organized transnational crime;[28]

2. *Takes note also* of the forty recommendations elaborated and endorsed by the Senior Experts Group on Transnational Organized Crime, which met at Lyon, France, from 27 to 29 June 1996, which are contained in annex I to Economic and Social Council resolution 1997/22;

3. *Takes note further* of the report of the informal meeting on the question of the elaboration of an international convention against organized transnational crime, held at Palermo, Italy, from 6 to 8 April 1997,[29] and expresses its appreciation to the Fondazione Giovanni e Francesca Falcone for organizing and acting as host to the meeting;

4. *Reiterates* the high priority accorded to the United Nations Crime Prevention and Criminal Justice Programme as well as to its work on action against organized transnational crime in general and the implementation of the Naples Political Declaration and Global Action Plan in particular;

5. *Urges* States to continue making every effort possible to implement the Naples Political Declaration and Global Action Plan fully by taking the most appropriate legislative, regulatory and administrative measures, including those aimed at prevention;

6. *Requests* the Commission on Crime Prevention and Criminal Justice to continue its review of the implementation of the Naples Political Declaration and Global Action Plan as a matter of high priority;

7. *Invites* developing countries and countries with economies in transition to undertake action against organized transnational crime and to promote international cooperation in this field as priorities in their development efforts and to include in their requests for assistance to the United Nations Development Programme, as part of the country programme framework of the Programme, projects on action against

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[25] *Final Report of the World Conference on Education for All: Meeting Basic Learning Needs, Jomtien, Thailand, 5-9 March 1990*, Inter-Agency Commission (UNDP, UNESCO, UNICEF, World Bank) for the World Conference on Education for All, New York, 1990, appendix I.

[26] A/49/748, annex, chap.I. sect. A.

[27] E/CN.15/1997/7.

[28] E/CN.15/1997/7/Add.1.

[29] E/CN.15/1997/7/Add.2, annex.

organized transnational crime and money laundering, with a view to upgrading national institutional capacities and professional expertise in these fields;

8. *Calls upon* the United Nations Development Programme, the World Bank and other international, regional and national funding agencies to give favourable consideration to project proposals on strengthening national or regional capacities and creating the expertise required for the prevention and control of organized transnational crime and money laundering that are elaborated and submitted to them by the Centre for International Crime Prevention of the Secretariat;

9. *Requests* the Secretary-General to continue his work on the central repository established pursuant to Economic and Social Council resolution 1996/27, with a view to increasing, maintaining and updating the data and other information contained in the repository and making such information available to States and, for this purpose, to continue collecting information and material, taking into account the methodological points and categorization of data listed in annex II to Economic and Social Council resolution 1997/22, including legislative and regulatory texts on the prevention and control of organized transnational crime, as well as reports on preventive measures;

10. *Calls upon* all States and relevant international organizations and institutes affiliated and associated with the United Nations to assist the Secretary-General in the implementation of paragraph 9 above by providing him with data and other information, as well as legislative and regulatory texts, and to keep such data up to date;

11. *Requests* the Secretary-General to continue to provide States with advisory services and other forms of assistance on request in the field of prevention and control of organized transnational crime;

12. *Also requests* the Secretary-General to assist States in collecting and systematizing data and other information on the occurrence, dimensions and patterns of organized transnational crime by designing and undertaking a comparative study on the situation of organized transnational crime throughout the world;

13. *Further requests* the Secretary-General to review the data submitted to the central repository and to take that data into account in developing model legislation against organized transnational crime as well as technical manuals for law enforcement and judicial personnel and for agencies engaged in preventive activities;

14. *Decides* to establish an inter-sessional open-ended intergovernmental group of experts, from within existing resources or, where possible, funded by extrabudgetary resources, if made available, for the purpose of elaborating a preliminary draft of a possible comprehensive international convention against organized transnational crime, which would submit a report thereon to the Commission on Crime Prevention and Criminal Justice at its seventh session;

15. *Welcomes* the generous offer of the Government of Poland to organize and host a meeting of the intergovernmental group of experts;

16. *Requests* the intergovernmental group of experts, when elaborating the preliminary draft:

(*a*) To take into account existing multilateral instruments, the draft United Nations framework convention against organized crime presented by the Government of Poland at the fifty-first session of the General Assembly,[30] contained in annex III to Economic and Social Council resolution 1997/22, the report of the Chairman of the Working Group on the Implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime and the Question of the Elaboration of an International Convention against Organized Transnational Crime, contained in annex IV to Council resolution 1997/22, the principles indicated in the forty recommendations mentioned in paragraph 2 above and the observations and proposals made by other member States during the sixth session of the Commission on Crime Prevention and Criminal Justice, including those contained in annexes V and VI to Council resolution 1997/22, as well as those contained in the report of the Secretary-General on the question of the elaboration of an international convention against organized transnational crime[28] and the principles contained in the report of the Secretary-General on measures to prevent trafficking in children;[31]

(*b*) To give priority consideration to the following issues:

(i) Measures for judicial and police cooperation, particularly in relation to mutual assistance, extradition, money laundering and confiscation of illicit assets, protection of witnesses, information sharing, training and other forms of technical assistance;

(ii) Identification of the scope of application of the above-mentioned measures, having particular regard to the documents contained in annexes III and IV to Council resolution 1997/22, referred to in subparagraph (*a*) above;

(iii) Provisions related to criminal offences, particularly in the areas of criminal associations, conspiracy and money laundering;

(*c*) Also to consider indicating the need for special provisions related to specific types of crime, such as trafficking in children, corruption, offences related to firearms, trafficking in illegal migrants and theft of motor vehicles, that may be the subject of international instruments, whether associated with or separate from the draft convention;

17. *Requests* the Secretary-General to provide the Centre for International Crime Prevention of the Secretariat

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[30] A/C.3/51/7, annex.

[31] E/CN.15/1997/12.

with adequate resources for the preparation and servicing of the meeting of the intergovernmental group of experts;

18. *Requests* the Commission on Crime Prevention and Criminal Justice to report through the Economic and Social Council to the General Assembly at its fifty-third session on the progress achieved in its work on this question.

70th plenary meeting
12 December 1997

52/86. Crime prevention and criminal justice measures to eliminate violence against women

The General Assembly,

Bearing in mind its resolution 48/104 of 20 December 1993, in which it proclaimed the Declaration on the Elimination of Violence against Women, and recalling the definition of violence against women contained in articles 1 and 2 of the Declaration,

Strongly condemning all forms of violence against women,

Stressing that the effective implementation of the Convention on the Elimination of All Forms of Discrimination against Women[32] contributes to the elimination of violence against women and that the implementation of the Declaration strengthens and complements that process,

Recalling the Beijing Declaration[33] and the Platform for Action[34] adopted by the Fourth World Conference on Women and, in particular, the determination of Governments to prevent and eliminate all forms of violence against women and girls,

Recognizing the need to implement fully the Beijing Declaration and the Platform for Action in the field of crime prevention and criminal justice and to develop strategies and practical measures in that field,

Taking note of Commission on Human Rights resolution 1997/44 of 11 April 1997 on the elimination of violence against women,[35]

Welcoming the renewal of the mandate of the Special Rapporteur on violence against women, its causes and consequences, by the Commission on Human Rights,

Recalling the conclusions and recommendations of the Special Rapporteur, stressed by the Commission on Human Rights in its resolution 1997/44, that States have an affirmative duty to promote and protect the human rights of women and must exercise due diligence to prevent violence against women,

Reaffirming Economic and Social Council resolution 1996/12 of 23 July 1996 on the elimination of violence against women,

Expressing deep concern about the high social, health and economic costs to the individual and society that are associated with violence against women,

Bearing in mind that criminal justice agencies should work closely with practitioners in other sectors, including health, social services and education, and with members of the community to deal with the problem of violence against women,

Acknowledging the valuable contribution made by non-governmental organizations, organizations seeking women's equality and community agencies in working towards the elimination of violence against women,

1. *Urges* Member States to review and evaluate their legislation and legal principles, procedures, policies and practices relating to criminal matters, in a manner consistent with their legal systems, to determine if they have a negative impact on women and, if they have such an impact, to modify them in order to ensure that women are treated fairly by the criminal justice system;

2. *Also urges* Member States to undertake strategies, develop policies and disseminate materials to promote women's safety in the home and in society at large, including specific crime prevention strategies that reflect the realities of women's lives and address their distinct needs in such areas as social development, environmental design and educational prevention programmes;

3. *Further urges* Member States to promote an active and visible policy of integrating a gender perspective into the development and implementation of all policies and programmes in the field of crime prevention and criminal justice, which may assist in the elimination of violence against women so that, before decisions are taken, an analysis may be made to ensure that they entail no unfair gender bias;

4. *Calls upon* the Commission on Crime Prevention and Criminal Justice, through the Centre for International Crime Prevention of the Secretariat and the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, to cooperate with all relevant organs, bodies and other entities of the United Nations system and to coordinate their activities on issues relating to violence against women and to the removal of gender bias in the administration of criminal justice;

5. *Calls upon* the institutes comprising the Programme network to continue training in the field of violence against women and to consolidate and disseminate information on successful intervention models and preventive programmes at the national level;

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[32] Resolution 34/180, annex.

[33] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[34] Ibid., annex II.

[35] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. I, sect. A.

6. *Requests* the Commission to ensure that *Strategies for Confronting Domestic Violence: A Resource Manual*[36] is published in all official languages of the United Nations, subject to the availability of regular budget or extrabudgetary funds, and acknowledges the contribution of Canada in that respect;

7. *Calls upon* Governments, international organizations and non-governmental organizations, as appropriate, to translate *Strategies for Confronting Domestic Violence: A Resource Manual* into local languages and to ensure its wide dissemination for use in training and education programmes;

8. *Takes note* of the report of the Secretary-General on the elimination of violence against women,[37] including the revision of the draft practical measures, strategies and activities in the field of crime prevention and criminal justice for the elimination of violence against women, based on comments received from Member States, United Nations entities, including the specialized agencies and associate entities, as well as intergovernmental and non-governmental organizations;

9. *Adopts* the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, annexed to the present resolution, as a model for guidelines to be used by Governments in their efforts to address, within the criminal justice system, the various manifestations of violence against women;

10. *Urges* Member States to be guided by the Model Strategies and Practical Measures in developing and undertaking strategies and practical measures to eliminate violence against women and in promoting women's equality within the criminal justice system;

11. *Requests* the Commission on Crime Prevention and Criminal Justice, through the Centre for International Crime Prevention of the Secretariat, to assist Member States, at their request, in utilizing the Model Strategies and Practical Measures;

12. *Calls upon* the Commission on Crime Prevention and Criminal Justice to continue to consider the elimination of violence against women within the training and technical assistance efforts of the United Nations Crime Prevention and Criminal Justice Programme;

13. *Requests* the Secretary-General to ensure the wide dissemination of the Model Strategies and Practical Measures, with a view to promoting their use;

14. *Also requests* the Secretary-General to transmit the Model Strategies and Practical Measures to the relevant United Nations organizations and bodies, such as the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women, the Commission on Human Rights, including the Subcommission on Prevention of Discrimination and Protection of Minorities, and the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and its consequences, and invites those organizations and bodies to develop strategies and practical measures on the elimination of violence against women in their areas of expertise;

15. *Invites* the Economic and Social Council to consider including the question of violence against women at the high-level segments of one of its forthcoming sessions, in the context of its discussion on the human rights of women;

16. *Requests* the Secretary-General to submit to the General Assembly at its fifty-fourth session, through the Economic and Social Council, a report on the implementation of the present resolution.

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ANNEX

Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice

1. The multifaceted nature of violence against women suggests that different strategies are required for different manifestations of violence and the various settings in which it occurs. The practical measures, strategies and activities described below can be introduced in the field of crime prevention and criminal justice to deal with the problem of violence against women. Except where otherwise specified, the term "women" encompasses "girl children".

2. Recalling the definition of violence against women contained in the Declaration on the Elimination of Violence against Women[38] and reiterated in the Platform for Action adopted by the Fourth World Conference on Women,[34] the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice build upon the measures adopted by Governments in the Platform for Action, bearing in mind that some groups of women are especially vulnerable to violence.

3. The Model Strategies and Practical Measures specifically acknowledge the need for an active policy of bringing into the mainstream a gender perspective in all policies and programmes related to violence against women and of achieving gender equality and equal and fair access to justice, as well as establishing the goal of gender balance in areas of decision-making related to the elimination of violence against women. The Model Strategies and Practical Measures should be applied as guidelines in a manner consistent with relevant international instruments, including the Convention on the Elimination of All Forms of Discrimination against Women,[32] the Convention on the Rights of the Child[39] and the

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[36] E.94.IV.1.

[37] E/CN.15/1997/11 and Add.1.

[38] Resolution 48/104.

[39] Resolution 44/25, annex.

International Covenant on Civil and Political Rights,[40] with a view to furthering their fair and effective implementation.

4. The Model Strategies and Practical Measures should be implemented by Member States and other entities, without prejudice to the principle of gender equality before the law, in order to facilitate the efforts by Governments to deal with the various manifestations of violence against women within the criminal justice system.

5. The Model Strategies and Practical Measures are aimed at providing *de jure* and de facto equality between women and men. The Model Strategies and Practical Measures do not give preferential treatment to women but are aimed at ensuring that any inequalities or forms of discrimination that women face in achieving access to justice, particularly in respect of acts of violence, are redressed.

I. CRIMINAL LAW

6. Member States are urged:

(*a*) To periodically review, evaluate and revise their laws, codes and procedures, especially their criminal laws, to ensure their value and effectiveness in eliminating violence against women and to remove provisions that allow for or condone violence against women;

(*b*) To review, evaluate and revise their criminal and civil laws, within the framework of their national legal systems, in order to ensure that all acts of violence against women are prohibited and, if not, to adopt measures to do so;

(*c*) To review, evaluate and revise their criminal laws in order to ensure that:

(i) Persons who are brought before the courts on judicial matters in respect of violent crimes or who are convicted of such crimes can be restricted in their possession and use of firearms and other regulated weapons, within the framework of their national legal systems;

(ii) Individuals can be prohibited or restrained, within the framework of their national legal systems, from harassing, intimidating or threatening women.

II. CRIMINAL PROCEDURE

7. Member States are urged to review, evaluate and revise their criminal procedure, as appropriate, in order to ensure that:

(*a*) The police have, with judicial authorization where required by national law, adequate powers to enter premises and conduct arrests in cases of violence against women, including confiscation of weapons;

(*b*) The primary responsibility for initiating prosecutions lies with prosecution authorities and does not rest with women subjected to violence;

(*c*) Women subjected to violence have an opportunity to testify in court proceedings equal to that of other witnesses and that measures are available to facilitate such testimony and to protect their privacy;

(*d*) Rules and principles of defence do not discriminate against women and such defences as honour or provocation do not allow perpetrators of violence against women to escape all criminal responsibility;

(*e*) Perpetrators who commit acts of violence against women while voluntarily under the influence of alcohol or drugs are not absolved of all criminal or other responsibility;

(*f*) Evidence of prior acts of violence, abuse, stalking and exploitation by the perpetrator is considered during court proceedings, in accordance with the principles of national criminal law;

(*g*) Courts, subject to the constitution of their State, have the authority to issue protection and restraining orders in cases of violence against women, including removal of the perpetrator from the domicile, prohibiting further contact with the victim and other affected parties, inside and outside the domicile, and to impose penalties for breaches of these orders;

(*h*) Measures can be taken when necessary to ensure the safety of victims and their families and to protect them from intimidation and retaliation;

(*i*) Safety risks are taken into account in decisions concerning non-custodial or quasi-custodial sentences, the granting of bail, conditional release, parole or probation.

III. POLICE

8. Member States are urged, within the framework of their national legal systems:

(*a*) To ensure that the applicable provisions of laws, codes and procedures related to violence against women are consistently enforced in such a way that all criminal acts of violence against women are recognized and responded to accordingly by the criminal justice system;

(*b*) To develop investigative techniques that do not degrade women subjected to violence and that minimize intrusion into their lives, while maintaining standards for the collection of the best evidence;

(*c*) To ensure that police procedures, including decisions on the arrest, detention and terms of any form of release of the perpetrator, take into account the need for the safety of the victim and others related through family, socially or otherwise, and that these procedures also prevent further acts of violence;

(*d*) To empower the police to respond promptly to incidents of violence against women;

(*e*) To ensure that the exercise of police powers is undertaken according to the rule of law and codes of conduct and that the police may be held accountable for any infringement thereof;

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[40] See resolution 2200 A (XXI), annex.

(*f*) To encourage women to join police forces, including at the operational level.

IV. SENTENCING AND CORRECTION

9. Member States are urged, as appropriate:

(*a*) To review, evaluate and revise sentencing policies and procedures in order to ensure that they meet the goals of:

- (i) Holding offenders accountable for their acts related to violence against women;
- (ii) Stopping violent behaviour;
- (iii) Taking into account the impact on victims and their family members of sentences imposed on perpetrators who are members of their families;
- (iv) Promoting sanctions that are comparable to those for other violent crimes;

(*b*) To ensure that a woman subjected to violence is notified of any release of the offender from detention or imprisonment where the safety of the victim in such disclosure outweighs invasion of the offender's privacy;

(*c*) To take into account in the sentencing process the severity of the physical and psychological harm and the impact of victimization, including through victim impact statements where such practices are permitted by law;

(*d*) To make available to the courts through legislation a full range of sentencing dispositions to protect the victim, other affected persons and society from further violence;

(*e*) To ensure that the sentencing judge is encouraged to recommend treatment of the offender at the time of sentencing;

(*f*) To ensure that there are appropriate measures in place to eliminate violence against women who are detained for any reason;

(*g*) To develop and evaluate offender treatment programmes for different types of offenders and offender profiles;

(*h*) To protect the safety of victims and witnesses before, during and after criminal proceedings.

V. VICTIM SUPPORT AND ASSISTANCE

10. Member States are urged, as appropriate:

(*a*) To make available to women who have been subjected to violence information on rights and remedies and on how to obtain them, in addition to information about participating in criminal proceedings and the scheduling, progress and ultimate disposition of the proceedings;

(*b*) To encourage and assist women subjected to violence in lodging and following through on formal complaints;

(*c*) To ensure that women subjected to violence receive, through formal and informal procedures, prompt and fair redress for the harm that they have suffered, including the right to seek restitution or compensation from the offenders or the State;

(*d*) To provide for court mechanisms and procedures that are accessible and sensitive to the needs of women subjected to violence and that ensure the fair processing of cases;

(*e*) To establish a registration system for judicial protection and restraining orders, where such orders are permitted by national law, so that police or criminal justice officials can quickly determine whether such an order is in force.

VI. HEALTH AND SOCIAL SERVICES

11. Member States, in cooperation with the private sector, relevant professional associations, foundations, non-governmental and community organizations, including organizations seeking women's equality, and research institutes are urged, as appropriate:

(*a*) To establish, fund and coordinate a sustainable network of accessible facilities and services for emergency and temporary residential accommodation for women and their children who are at risk of becoming or who have been victims of violence;

(*b*) To establish, fund and coordinate services such as toll-free information lines, professional multi-disciplinary counselling and crisis intervention services and support groups in order to benefit women who are victims of violence and their children;

(*c*) To design and sponsor programmes to caution against and prevent alcohol and substance abuse, given the frequent presence of alcohol and substance abuse in incidents of violence against women;

(*d*) To establish better linkages between medical services, both private and emergency, and criminal justice agencies for purposes of reporting, recording and responding to acts of violence against women;

(*e*) To develop model procedures to help participants in the criminal justice system to deal with women subjected to violence;

(*f*) To establish, where possible, specialized units with persons from relevant disciplines especially trained to deal with the complexities and victim sensitivities involved in cases of violence against women.

VII. TRAINING

12. Member States, in cooperation with non-governmental organizations, including organizations seeking women's equality, and in collaboration with relevant professional associations, are urged, as appropriate:

(*a*) To provide for or to encourage mandatory cross-cultural and gender-sensitivity training modules for police, criminal justice officials, practitioners and professionals involved in the criminal justice system that deal with the unacceptability of violence against women, its impact and consequences and that promote an adequate response to the issue of violence against women;

(*b*) To ensure adequate training, sensitivity and education of police, criminal justice officials, practitioners and professionals involved in the criminal justice system regarding all relevant human rights instruments;

(*c*) To encourage professional associations to develop enforceable standards of practice and behaviour, which promote justice and equality for women, for practitioners involved in the criminal justice system.

VIII. RESEARCH AND EVALUATION

13. Member States and the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, relevant entities of the United Nations system, other relevant international organizations, research institutes and non-governmental organizations, including organizations seeking women's equality, are urged, as appropriate:

(*a*) To develop crime surveys on the nature and extent of violence against women;

(*b*) To gather data and information on a gender-disaggregated basis for analysis and use, together with existing data, in needs assessment, decision-making and policy-making in the field of crime prevention and criminal justice, in particular concerning:

- (i) The different forms of violence against women, its causes and consequences;
- (ii) The extent to which economic deprivation and exploitation are linked to violence against women;
- (iii) The relationship between the victim and the offender;
- (iv) The rehabilitative or anti-recidivistic effect of various types of intervention on the individual offender and on the reduction of violence against women;
- (v) The use of firearms, drugs and alcohol, particularly in cases of violence against women in situations of domestic violence;
- (vi) The relationship between victimization or exposure to violence and subsequent violent activity;

(*c*) To monitor and issue annual reports on the incidence of violence against women, arrest and clearance rates, prosecution and case disposition of the offenders;

(*d*) To evaluate the efficiency and effectiveness of the criminal justice system in fulfilling the needs of women subjected to violence.

IX. CRIME PREVENTION MEASURES

14. Member States and the private sector, relevant professional associations, foundations, non-governmental and community organizations, including organizations seeking women's equality, and research institutes are urged, as appropriate:

(*a*) To develop and implement relevant and effective public awareness, public education and school programmes that prevent violence against women by promoting equality, cooperation, mutual respect and shared responsibilities between women and men;

(*b*) To develop multidisciplinary and gender-sensitive approaches within public and private entities that participate in the elimination of violence against women, especially through partnerships between law enforcement officials and services specialized in the protection of women victims of violence;

(*c*) To set up outreach programmes for offenders or persons identified as potential offenders in order to promote the peaceful resolution of conflicts, the management and control of anger and attitude modification about gender roles and relations;

(*d*) To set up outreach programmes and offer information to women, including victims of violence, about gender roles, the human rights of women and the social, health, legal and economic aspects of violence against women, in order to empower women to protect themselves against all forms of violence;

(*e*) To develop and disseminate information on the different forms of violence against women and the availability of programmes to deal with that problem, including programmes concerning the peaceful resolution of conflicts, in a manner appropriate to the audience concerned, including in educational institutions at all levels;

(*f*) To support initiatives of organizations seeking women's equality and of non-governmental organizations to raise public awareness of the issue of violence against women and to contribute to its elimination.

15. Member States and the media, media associations, media self-regulatory bodies, schools and other relevant partners, while respecting the freedom of the media, are urged, as appropriate, to develop public awareness campaigns and appropriate measures and mechanisms, such as codes of ethics and self-regulatory measures on media violence, aimed at enhancing respect for the rights of women and discouraging both discrimination against women and stereotyping of women.

X. INTERNATIONAL COOPERATION

16. Member States and United Nations bodies and institutes are urged, as appropriate:

(*a*) To exchange information concerning successful intervention models and preventive programmes in eliminating violence against women and to compile a directory of those models;

(*b*) To cooperate and collaborate at the regional and international levels with relevant entities to prevent violence against women and to promote measures to effectively bring perpetrators to justice, through mechanisms of international cooperation and assistance, in accordance with national law;

(*c*) To contribute to and support the United Nations Development Fund for Women in its activities to eliminate violence against women.

17. Member States are urged:

(*a*) To limit the extent of any reservations to the Convention on the Elimination of All Forms of Discrimination against Women to those that are formulated as precisely and as narrowly as possible and that are not incompatible with the object and purpose of the Convention;

(*b*) To condemn all violations of the human rights of women in situations of armed conflict, to recognize them as being violations of international human rights and humanitarian law and to call for a particularly effective response to violations of that kind, including, in particular, murder, systematic rape, sexual slavery and forced pregnancy;

(*c*) To work actively towards ratification of or accession to the Convention on the Elimination of All Forms of Discrimination against Women for the States that are still not parties to it, so that universal ratification can be achieved by the year 2000;

(*d*) To give full consideration to integrating a gender perspective in the drafting of the statute of the international criminal court, particularly in respect of women who are victims of violence;

(*e*) To cooperate with and assist the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences in the performance of his or her mandated tasks and duties, to supply all information requested and to respond to the Special Rapporteur's visits and communications.

XI. FOLLOW-UP ACTIVITIES

18. Member States, United Nations bodies, subject to the availability of extrabudgetary funds, the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, other relevant international organizations, research institutes and non-governmental organizations, including organizations seeking women's equality, are urged, as appropriate:

(*a*) To encourage the translation of the Model Strategies and Practical Measures into local languages and to ensure its wide dissemination for use in training and education programmes;

(*b*) To utilize the Model Strategies and Practical Measures as a basis, a policy reference and a practical guide for activities aimed at eliminating violence against women;

(*c*) To assist Governments, at their request, in reviewing, evaluating and revising their criminal justice systems, including their criminal legislation, on the basis of the Model Strategies and Practical Measures;

(*d*) To support the technical cooperation activities of the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network in eliminating violence against women;

(*e*) To develop coordinated national, regional and subregional plans and programmes to put the Model Strategies and Practical Measures into effect;

(*f*) To design standard training programmes and manuals for the police and criminal justice officials, based on the Model Strategies and Practical Measures;

(*g*) To periodically review and monitor, at the national and international levels, progress made in terms of plans, programmes and initiatives to eliminate violence against women in the context of the Model Strategies and Practical Measures.

52/87. International cooperation against corruption and bribery in international commercial transactions

The General Assembly,

Disturbed by the bribery of public officials by individuals and enterprises of other States in relation to international commercial transactions,

Convinced that such practices undermine the integrity of state bureaucracies and weaken social and economic policies by promoting corruption in the public sector, thus diminishing its credibility,

Convinced also that the fight against corruption must be supported by sincere international cooperation efforts,

Recalling its resolution 3514 (XXX) of 15 December 1975, in which it, *inter alia*, condemned all corrupt practices, including bribery, by transnational corporations and other corporations, their intermediaries and others involved, in violation of the laws and regulations in host countries, reaffirmed the right of any State to adopt legislation and to investigate and take appropriate legal action, in accordance with its national laws and regulations, against such corrupt practices and called upon all Governments to cooperate to prevent corrupt practices, including bribery,

Recalling also Economic and Social Council resolution 1995/14 of 24 July 1995 on action against corruption,

Recalling further its resolution 50/225 of 19 April 1996 on public administration and development, *Recalling in particular* its resolution 51/59 of 12 December 1996, in which it adopted the International Code of Conduct for Public Officials, annexed thereto, and recommended it to Member States as a tool to guide their efforts against corruption,

Recalling that by its resolution 51/191 of 16 December 1996 it adopted the United Nations Declaration against Corruption and Bribery in International Commercial Transactions,

Recalling also that in its resolution 51/191 it requested the Economic and Social Council and its subsidiary bodies, in particular the Commission on Crime Prevention and Criminal Justice, to examine ways to further the implementation of that resolution and the United Nations Declaration against Corruption and Bribery in International Commercial Transactions, to keep the issue of corruption and bribery in international commercial transactions under regular review and to promote the effective implementation of that resolution,

Taking note of the report of the Secretary-General on action against corruption and bribery[41] and of the report of the Expert Group Meeting on Corruption, held at Buenos Aires from 17 to 21 March 1997,[42]

Welcoming developments that have advanced international understanding and cooperation regarding bribery in transnational business, such as the Inter-American Convention against Corruption adopted by the Organization of American States on 29 March 1996,[43] which includes an article on the prohibition of foreign commercial bribery; the ongoing work of the Council of Europe against corruption, including the elaboration of several international conventions containing provisions on bribery in international commercial transactions; the ongoing work of the World Trade Organization to improve transparency, openness and due process in government procurement procedures; and the ongoing work of the States members of the Organisation for Economic Cooperation and Development, including, as elements, the agreement to prohibit the tax deductibility of bribes paid to foreign public officials in international commercial transactions, and the commitment to criminalize the bribing of foreign public officials in international business transactions,

1. *Agrees* that all States should take all possible measures to further the implementation of the United Nations Declaration against Corruption and Bribery in International Commercial Transactions[44] and of the International Code of Conduct for Public Officials;[45]

2. *Urges* Member States that have not yet done so to implement relevant international declarations and to ratify, where appropriate, international instruments against corruption;

3. *Also urges* Member States to criminalize, in an effective and coordinated manner, the bribery of public office holders of other States in international commercial transactions, and encourages them to engage, as appropriate, in programmatic activities to deter, prevent and combat bribery and corruption, for example, by diminishing institutional barriers through the development of integrated management systems and the promotion of legal reform, in accordance with their fundamental legal principles in both the public and private sectors, by encouraging a greater role for citizens in the development of transparent and accountable government, by supporting the active participation of non-governmental organizations in the identification, planning and implementation of initiatives that raise ethical standards and practices in both government and business transactions and by providing training and technical assistance to other States, as appropriate, and to develop and implement standards of good governance, in particular, accountability and transparency, legitimate commercial and financial conduct and other anti-corruption measures;

4. *Requests* the Secretary-General to invite each Member State to provide a report on steps taken to implement the provisions of the Declaration, including those dealing with criminalization, effective sanctions, tax deductibility, accounting standards and practices, development of business codes, illicit enrichment, mutual legal assistance and bank secrecy provisions, as well as on national anti-corruption strategies and policies, for compilation by the Secretary-General and consideration by the Commission on Crime Prevention and Criminal Justice, with a view to examining further steps to be taken for the full implementation of the Declaration;

5. *Invites* competent international, regional and non-governmental organizations to provide relevant information to the Commission on Crime Prevention and Criminal Justice on international efforts to combat corruption and bribery;

6. *Requests* the Secretary-General, subject to the availability of extrabudgetary funds, to intensify technical assistance to combat corruption, providing advisory services to Member States that request such services, and urges Member States to provide the Secretariat with the necessary extrabudgetary funds for such technical assistance;

7. *Requests* the Commission on Crime Prevention and Criminal Justice to give attention to the question of the bribery of public office holders of other States in international commercial transactions and to include in its agenda for a future session a review of action taken by States to implement the Declaration.

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[41] E/CN.15/1997/3.

[42] E/CN.15/1997/3/Add.1, annex.

[43] See E/1996/99.

[44] Resolution 51/191, annex.

[45] Resolution 51/59, annex.

52/88. International cooperation in criminal matters

The General Assembly,

Acknowledging the benefits of the enactment of national laws providing the most flexible basis for extradition, and bearing in mind that some developing countries and countries with economies in transition may lack the resources for developing and implementing treaty relations on extradition, as well as appropriate national legislation,

Bearing in mind that United Nations model treaties on international cooperation in criminal matters provide important tools for the development of international cooperation,

Convinced that existing arrangements governing international cooperation in law enforcement must be continuously reviewed and revised to ensure that the specific contemporary problems of fighting crime are being effectively addressed at all times,

Convinced also that reviewing and revising the United Nations model treaties will contribute to increased efficiency in combating criminality,

Commending the work of the Intergovernmental Expert Group Meeting on Extradition, held at Siracusa, Italy, from 10 to 13 December 1996,[46] to implement, in part, Economic and Social Council resolution 1995/27 of 24 July 1995 by reviewing the Model Treaty on Extradition[47] and by proposing complementary provisions for it, elements for model legislation in the field of extradition and training and technical assistance for national officials engaged in the field of extradition,

Commending also the International Association of Penal Law and the International Institute of Higher Studies in Criminal Sciences for providing support for the Expert Group Meeting and the Governments of Finland, Germany and the United States of America and the United Nations Interregional Crime and Justice Research Institute for their cooperation in its organization,

Recognizing that the work of the Intergovernmental Expert Group could not be fully completed given the limited amount of time available and that its work was therefore ultimately limited to the field of extradition,[48]

Determined to implement section I of Economic and Social Council resolution 1995/27, in which the Council requested the Secretary-General to convene a meeting of an intergovernmental expert group to explore ways of increasing the efficiency of extradition and related mechanisms of international cooperation,

I

MUTUAL ASSISTANCE

1. *Requests* the Secretary-General to convene, using extrabudgetary funds already offered for this purpose, a meeting of an intergovernmental expert group to examine practical recommendations for the further development and promotion of mutual assistance in criminal matters;

2. *Recommends* that the expert group should, in accordance with section I of Economic and Social Council resolution 1995/27, explore ways and means of increasing the efficiency of this type of international cooperation, having due regard for the rule of law and the protection of human rights, including by drafting alternative or complementary articles for the Model Treaty on Mutual Assistance in Criminal Matters,[49] developing model legislation and providing technical assistance in the development of agreements;

3. *Also recommends* that the expert group submit a report on the implementation of the present resolution to the Commission on Crime Prevention and Criminal Justice no later than at its eighth session;

II

EXTRADITION

1. *Welcomes* the report of the Intergovernmental Expert Group Meeting on Extradition, held at Siracusa, Italy, from 10 to 13 December 1996;[46]

2. *Decides* that the Model Treaty on Extradition[47] should be complemented by the provisions set forth in the annex to the present resolution;

3. *Encourages* Member States, within the framework of their national legal systems, to enact effective extradition legislation, and calls upon the international community to give all possible assistance in achieving that goal;

4. *Requests* the Secretary-General to elaborate, in consultation with Member States and subject to extrabudgetary resources, for submission to the Commission on Crime Prevention and Criminal Justice, model legislation to assist Member States in giving effect to the Model Treaty on Extradition in order to enhance effective cooperation between States, taking into account the contents of model legislation[50] recommended by the Intergovernmental Expert Group Meeting;

5. *Invites* States to consider taking steps, within the framework of national legal systems, to conclude extradition and surrender or transfer agreements;

6. *Urges* States to revise bilateral and multilateral law enforcement cooperation arrangements as an integral part of the effort to effectively combat constantly changing methods

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[46] E/CN.15/1997/6 and Corr.1, annex.

[47] Resolution 45/116, annex.

[48] See E/CN.15/1997/6 and Corr.1, annex, section IV.

[49] Resolution 45/117, annex.

[50] E/CN.15/1997/6 and Corr.1, annex II.

of individuals and groups engaging in organized transnational crime;

7. *Urges* Member States to use the Model Treaty on Extradition as a basis in developing treaty relations at the bilateral, regional or multilateral level, as appropriate;

8. *Also urges* Member States to continue to acknowledge that the protection of human rights should not be considered inconsistent with effective international cooperation in criminal matters, while recognizing the need for fully effective mechanisms for extraditing fugitives;

9. *Invites* Member States to consider, where applicable and within the framework of national legal systems, the following measures in the context of the use and application of extradition treaties or other arrangements:

(*a*) Establishing and designating a national central authority to process requests for extradition;

(*b*) Undertaking regular reviews of their treaty or other extradition arrangements and implementing legislation, as well as taking other necessary measures for the purpose of rendering such arrangements and legislation more efficient and effective in combating new and complex forms of crime;

(*c*) Simplifying and streamlining procedures necessary to execute and initiate requests for extradition, including the provision to requested States of information sufficient to enable extradition;

(*d*) Reducing the technical requirements, including documentation, necessary to satisfy the tests for extradition in cases where a person is accused of an offence;

(*e*) Providing for extraditable offences to extend to all acts and omissions that would be criminal offences in both States carrying a prescribed minimum penalty and not to be individually listed in treaties or other agreements, particularly with respect to organized transnational crime;

(*f*) Ensuring effective application of the principle of *aut dedere aut judicare*;

(*g*) Paying adequate attention, when considering and implementing the measures mentioned in subparagraphs 9 (*b*) to (*f*) above, to furthering the protection of human rights and the maintenance of the rule of law;

10. *Encourages* Member States to promote, on a bilateral, regional or worldwide basis, measures to improve the skills of officials in order to facilitate extradition, such as specialized training and, whenever possible, secondment and exchanges of personnel, as well as the appointment in other States of representatives of prosecuting agencies or of judicial authorities, in accordance with national legislation or bilateral agreements;

11. *Reiterates* its invitation to Member States to provide the Secretary-General with copies of relevant laws and information on practices related to international cooperation in criminal matters and in particular to extradition, as well as updated information on central authorities designated to deal with requests;

12. *Requests* the Secretary-General:

(*a*) Subject to extrabudgetary resources, to regularly update and disseminate the information mentioned in paragraph 11 above;

(*b*) To continue to provide advisory and technical cooperation services to Member States requesting assistance in the development, negotiation and implementation of bilateral, subregional, regional or international treaties on extradition, as well as in the drafting and application of appropriate national legislation, as necessary;

(*c*) To promote regular communication and exchanges of information between central authorities of Member States dealing with requests for extradition and to promote meetings of such authorities on a regional basis for Member States wishing to attend;

(*d*) To provide, taking into account the recommendations for a training programme[51] contained in the report of the Intergovernmental Expert Group Meeting, in cooperation with relevant intergovernmental organizations, with the participation of interested Member States at the intergovernmental organizational meeting referred to in the recommendations and subject to extrabudgetary resources, training for personnel in appropriate governmental agencies and central authorities of requesting Member States on extradition law and practice designed to develop necessary skills and to improve communications and cooperation aimed at enhancing the effectiveness of extradition and related practices;

13. *Also requests* the Secretary-General, subject to extrabudgetary resources and in cooperation with other relevant intergovernmental organizations, the United Nations Interregional Crime and Justice Research Institute and the other institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, to develop appropriate training materials for use in providing to requesting Member States the technical assistance referred to above;

14. *Commends* the International Institute of Higher Studies in Criminal Sciences for its offer to organize and host a coordination meeting for the purpose of developing the training material referred to in paragraph 13 above, as well as training courses on extradition law and practice;

15. *Requests* the Secretary-General to ensure the full implementation of the provisions of the present resolution, and urges Member States and funding agencies to assist the Secretary-General in implementing the present resolution through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund;

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[51] Ibid., annex III.

16. *Also requests* the Secretary-General to submit the report of the Intergovernmental Expert Group Meeting on Extradition together with the present resolution to the Preparatory Committee on the Establishment of an International Criminal Court for consideration.

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ANNEX

Complementary provisions for the Model Treaty on Extradition

Article 3

1. Move the text of footnote 96 to the end of subparagraph (*a*) and add a new footnote reading: "Countries may wish to exclude certain conduct, e.g., acts of violence, such as serious offences involving an act of violence against the life, physical integrity or liberty of a person, from the concept of political offence".

2. Add the following sentence to footnote 97: "Countries may also wish to restrict consideration of the issue of lapse of time to the law of the requesting State only or to provide that acts of interruption in the requesting State should be recognized in the requested State".

Article 4

3. Add the following footnote to subparagraph (*a*): "Some countries may also wish to consider, within the framework of national legal systems, other means to ensure that those responsible for crimes do not escape punishment on the basis of nationality, such as, *inter alia*, provisions that would permit surrender for serious offences or permit temporary transfer of the person for trial and return of the person to the requested State for service of sentence".

4. Add to subparagraph (*d*) the same *aut dedere aut judicare* (either extradite or prosecute) provisions as are found in subparagraphs (*a*) and (*f*).

Article 5

5. Add the following footnote to the title of article 5: "Countries may wish to consider including the most advanced techniques for the communication of requests and means which could establish the authenticity of the documents as emanating from the requesting State".

6. Replace existing footnote 101 with the following text: "Countries requiring evidence in support of a request for extradition may wish to define the evidentiary requirements necessary to satisfy the test for extradition and in doing so should take into account the need to facilitate effective international cooperation".

Article 6

7. Add the following footnote to the title of article 6: "Countries may wish to provide for the waiver of speciality in the case of simplified extradition".

Article 14

8. Add the following footnote to subparagraph 1 (*a*): "Countries may also wish to provide that the rule of speciality is not applicable to extraditable offences provable on the same facts and carrying the same or a lesser penalty as the original offence for which extradition was requested".

9. Delete footnote 103.

10. Add the following footnote to paragraph 2: "Countries may wish to waive the requirement for the provision of some or all of these documents".

Article 15

11. Add the following sentence to footnote 105: "However, countries may wish to provide that transit should not be denied on the basis of nationality".

Article 17

12. Add the following sentence to footnote 106: "There may also be cases for consultation between the requesting and requested States for the payment by the requesting State of extraordinary costs, particularly in complex cases where there is a significant disparity in the resources available to the two States".

52/89. United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 51/61 of 12 December 1996 and all other relevant resolutions,

Taking note of the report of the Secretary-General,[52] and further acknowledging the assistance rendered to the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders,

1. *Commends* the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders for its efforts to promote and coordinate regional technical cooperation activities related to crime prevention and criminal justice systems in Africa;

2. *Reiterates* the need for strengthening the capacity of the Institute to support a national mechanism for crime prevention and criminal justice in African countries in view of the contribution that the Institute can make to the United Nations Crime Prevention and Criminal Justice Programme;

3. *Urges* the States members of the Institute to make every possible effort to meet their obligations to the Institute;

4. *Appeals* to all Member States and non-governmental organizations to adopt concrete practical measures to support the Institute in the development of the requisite capacity and in the elaboration and implementation of programmes and

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[52] A/52/327.

activities aimed at strengthening crime prevention and criminal justice systems in Africa;

5. *Requests* the Secretary-General to intensify efforts to mobilize all relevant entities of the United Nations system to provide the necessary financial and technical support to the Institute to enable it to fulfil its mandate;

6. *Also requests* the Secretary-General to enhance regional cooperation, coordination and collaboration in the fight against crime, especially in its transnational dimension, which could not be adequately dealt with by national action alone;

7. *Further requests* the Secretary-General to make concrete proposals to strengthen the programmes and activities of the Institute and to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

70th plenary meeting
12 December 1997

52/90. Strengthening the United Nations Crime Prevention and Criminal Justice Programme, particularly its technical cooperation capacity

The General Assembly,

Recalling its resolution 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme, in which it approved the statement of principles and programme of action annexed to the resolution,

Bearing in mind the goals of the United Nations in the field of crime prevention and criminal justice, specifically the reduction of criminality, more efficient and effective law enforcement and administration of justice, respect for human rights and promotion of the highest standards of fairness, humanity and professional conduct,

Convinced of the desirability of closer coordination and cooperation among States in combating crime, including drug-related crimes, such as money-laundering, illicit arms trade and terrorist crimes, and bearing in mind the role that could be played by both the United Nations and regional organizations in this respect,

Recognizing the urgent need to increase technical cooperation activities in order to assist countries, in particular developing countries and countries in transition, with their efforts in translating United Nations policy guidelines into practice,

Recalling its relevant resolutions in which it requested the Secretary-General, as a matter of urgency, to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandate, in conformity with the high priority attached to the Programme,

1. *Takes note with appreciation* of the report of the Secretary-General on the progress made in the implementation of General Assembly resolution 51/63 of 12 December 1996;[53]

2. *Reaffirms* the importance of the United Nations Crime Prevention and Criminal Justice Programme and the crucial role it has to play in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, in responding to the needs of the international community in the face of both national and transnational criminality and in assisting Member States in achieving the goals of preventing crime within and among States and improving the response to crime;

3. *Also reaffirms* the priority of the Programme, in accordance with relevant resolutions, and requests the Secretary-General to further strengthen the Programme by providing it with the resources necessary for the full implementation of its mandate, including follow-up action to the Naples Political Declaration and Global Action Plan against Organized Transnational Crime, adopted by the World Ministerial Conference on Organized Transnational Crime, held at Naples, Italy, from 21 to 23 November 1994,[54] and to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995;[55]

4. *Reaffirms* the high priority attached to technical cooperation and advisory services in the field of crime prevention and criminal justice, and stresses the need to continue to improve the operational activities of the Programme, in particular in developing countries and countries in transition, in order to meet the needs of Member States, at their request, for support in crime prevention and criminal justice;

5. *Calls upon* States and United Nations funding agencies to make significant financial contributions for the operational activities of the Programme, and encourages all States to make voluntary contributions for that purpose to the United Nations Crime Prevention and Criminal Justice Trust Fund, also taking into account the activities required for the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime;

6. *Calls upon* all relevant programmes, funds and organizations of the United Nations system, in particular the United Nations Development Programme, the World Bank and other international, regional and national funding agencies, to support technical operational activities in this field and to include such activities in their programmes, utilizing the expertise of the United Nations Crime Prevention and Criminal Justice Programme in such activities and cooperating closely on relevant technical assistance projects and advisory missions;

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[53] A/52/295.

[54] A/49/748, annex, chap.I, sect.A.

[55] See A/CONF.169/16.

7. *Takes note with appreciation* of the contributions of the Programme to United Nations peacekeeping and special missions, as well as its contributions to the follow-up to those missions, *inter alia*, through advisory services, and encourages the Secretary-General, as a way of strengthening the rule of law, to recommend the inclusion of the re-establishment and reform of criminal justice systems in peacekeeping operations;

8. *Requests* the Secretary-General to take all necessary measures to assist the Commission on Crime Prevention and Criminal Justice, as the principal policy-making body in this field, in performing its activities, including cooperation and coordination with other relevant bodies, such as the Commission on Narcotic Drugs, the Commission on Human Rights and the Commission on the Status of Women;

9. *Welcomes* the efforts undertaken by the Commission on Crime Prevention and Criminal Justice to improve the strategic management of the Programme and to exercise more vigorously its mandated function of resources mobilization, and calls upon the Commission to further strengthen its activities in that direction;

10. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-third session.

70th plenary meeting
12 December 1997

52/91. Preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 50/145 of 21 December 1995 on the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Considering that, pursuant to its resolutions 415 (V) of 1 December 1950 and 46/152 of 18 December 1991, the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders is to be convened in the year 2000,

Recognizing the significant contributions of the United Nations congresses on the prevention of crime and the treatment of offenders to the promotion and strengthening of international cooperation in crime prevention and criminal justice,

Bearing in mind the new role of the congresses, as stipulated in paragraph 29 of the Statement of Principles and Programme of Action of the United Nations Crime Prevention and Criminal Justice Programme contained in the annex to resolution 46/152,

Recalling Economic and Social Council resolution 1993/32 of 27 July 1993 and the draft rules of procedure for United Nations congresses on the prevention of crime and the treatment of offenders annexed to that resolution,

Recalling resolution 5/1 of 30 May 1996 of the Commission on Crime Prevention and Criminal Justice, in which the Commission requested the Secretary-General to summarize the views received from Governments, relevant agencies and programmes of the United Nations system and intergovernmental and non-governmental organizations concerning the proposals for the theme, format, agenda items, workshop topics and possible venue of the Tenth Congress for consideration by the Commission at its sixth session,[56]

1. *Takes note* of the report of the Commission on Crime Prevention and Criminal Justice on its sixth session[57] and of the its discussion on the preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;[58]

2. *Decides* that the Tenth Congress should be held in the year 2000 and that the following topics should be included in its provisional agenda, as recommended by the Commission on Crime Prevention and Criminal Justice at its sixth session:[59]

(*a*) Promoting the rule of law and strengthening the criminal justice system;

(*b*) International cooperation in combating transnational crime: new challenges in the twenty-first century;

(*c*) Effective crime prevention: keeping pace with new developments;

(*d*) Offenders and victims: accountability and fairness in the justice process;

3. *Also decides* that four workshops on the following issues should be held within the framework of the Tenth Congress:

(*a*) Combating corruption;

(*b*) Crimes related to the computer network;

(*c*) Community involvement in crime prevention;

(*d*) Women in the criminal justice system;

4. *Welcomes* the offer by the Government of South Africa to host the Tenth Congress, and requests the Secretary-General to initiate consultations with the Government and to report to the Commission at its seventh session;

5. *Takes note with appreciation* of the statement made on behalf of the Government of Austria that, if consensus

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[56] See *Official Records of the Economic and Social Council, 1996, Supplement No. 10* and corrigenda (E/1996/30 and Corr.1-3), chap. I, sect. D.

[57] Ibid., *1997, Supplement No. 10* and corrigendum (E/1997/30 and Corr.1).

[58] Ibid., chap. II.

[59] Ibid., para. 15.

could be reached and questions of timing could be resolved, that Government would be honoured to host the Tenth Congress at Vienna;

6. *Requests* the Commission, at its seventh session, to finalize the programme for the Tenth Congress and to make its final recommendations, through the Economic and Social Council, to the General Assembly, taking into account the fact that the Tenth Congress should deal with a limited number of precisely defined substantive topics reflecting the urgent needs of the world community and should include practical technical workshops on well-focused issues related to the substantive agenda items;

7. *Requests* the Secretary-General to prepare a discussion guide for the consideration of the Commission, in cooperation with the institutes for the prevention of crime and the treatment of offenders affiliated with the United Nations, and invites Member States to be actively involved in that process;

8. *Invites* the regional commissions, the United Nations Crime Prevention and Criminal Justice Programme network, government-appointed national correspondents in the field of crime prevention and criminal justice, the specialized agencies and other entities within the United Nations system, the intergovernmental organizations concerned and relevant non-governmental organizations in consultative status with the Economic and Social Council to become actively involved in the preparations for the Tenth Congress;

9. *Invites* Member States to be represented at the Tenth Congress at a high political level, for example by heads of State, government ministers and attorneys-general;

10. *Decides* to reserve the first two days of the plenary session at the Tenth Congress following its opening primarily for statements by such representatives at a high political level on the main themes of the Congress;

11. *Requests* the Secretary-General to prepare an overview of the state of crime and criminal justice worldwide for presentation at the opening of the Tenth Congress;

12. *Also requests* the Secretary-General to facilitate the organization of ancillary meetings of non-governmental and professional organizations participating in the Tenth Congress, in accordance with past practice, as well as meetings of professional and geographical interest groups, and to take appropriate measures to encourage the participation of the academic and research community at the Tenth Congress;

13. *Further requests* the Secretary-General to provide the Centre for International Crime Prevention of the Secretariat, serving as the secretariat of the Tenth Congress, with the resources necessary to undertake, in an effective and timely manner, within the overall appropriations of the programme budget for the biennium 1998-1999, the preparatory activities for the Tenth Congress, as directed by the Commission, including the organization of regional preparatory meetings, and to ensure adequate resources for the biennium 2000-2001 for other requirements and the conduct of the Tenth Congress itself;

14. *Requests* the Secretary-General to provide resources, as required, in accordance with established United Nations budgetary practice and within the overall appropriations of the programme budget for the biennium 1998-1999, and adequate resources for the biennium 2000-2001, in order to ensure an appropriate programme of public information relating to the preparations for the Tenth Congress;

15. *Also requests* the Secretary-General to make available the necessary resources for the participation of the least developed countries in the regional preparatory meetings for the Tenth Congress and in the Congress itself, in accordance with past practice;

16. *Invites* the Commission, as the preparatory body for the United Nations congresses, to finalize all organizational arrangements for the Tenth Congress at its seventh session, including its dates, duration, documentation and venue;

17. *Requests* the Secretary-General to ensure proper follow-up action to the present resolution and to report thereon to the General Assembly, through the Commission on Crime Prevention and Criminal Justice at its seventh session.

70th plenary meeting
12 December 1997

52/92. International action to combat drug abuse and illicit production and trafficking

The General Assembly,

Recalling its resolutions 50/148 of 21 December 1995 and 51/64 of 12 December 1996,

Gravely concerned that, despite continued increased efforts by States and relevant international organizations, there is a global expansion of illicit demand for, production of and trafficking in narcotic drugs and psychotropic substances, including synthetic and designer drugs, which threatens the health, safety and well-being of millions of persons, in particular young people, in all countries, as well as the political and socio-economic systems and the stability, national security and sovereignty of an increasing number of States,

Deeply alarmed by the growing and spreading violence and economic power of criminal organizations and terrorist groups engaged in drug trafficking activities and other criminal activities, such as money laundering and illicit traffic of arms and precursors and essential chemicals, and by the increasing transnational links between them, and recognizing that enhanced international cooperation and effective strategies are essential to achieve results against all forms of transnational criminal activities,

Convinced of the growing need for closer coordination and cooperation among States in combating drug-related crimes, such as terrorism, illicit arms trade and money laundering, and bearing in mind the role that could be played by both the United Nations and regional organizations in this respect,

Fully aware that States, the relevant organizations of the United Nations system and multilateral development banks need to accord a higher priority and political determination to dealing with this scourge, which undermines development, economic and political stability and democratic institutions, and the combat against which entails increasing economic costs for Governments and the irreparable loss of human lives,

Reaffirming and stressing the need for increased efforts to implement the comprehensive framework for international cooperation in drug control provided by the existing drug control conventions, the Declaration of the International Conference on Drug Abuse and Illicit Trafficking[60] and the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control,[61] the Political Declaration and Global Programme of Action[62] adopted by the General Assembly at its seventeenth special session, which was devoted to the question of international cooperation against illicit production, supply, demand, trafficking and distribution of narcotic and psychotropic substances, the declaration adopted by the World Ministerial Summit to Reduce the Demand for Drugs and to Combat the Cocaine Threat,[63] the United Nations System-wide Action Plan on Drug Abuse Control,[64] the Naples Political Declaration and Global Action Plan against Organized Transnational Crime adopted by the World Ministerial Conference on Organized Transnational Crime, held at Naples, Italy, from 21 to 23 November 1994,[65] and other relevant international standards,

Underlining the importance of a balanced approach in efforts undertaken by Member States in the fight against illicit demand, production and trafficking in narcotic drugs and psychotropic substances,

Recognizing the efforts of countries that produce narcotic drugs for scientific, medicinal and therapeutic uses to prevent the diversion of such substances to illicit markets and to maintain production at a level consistent with licit demand in line with the Single Convention on Narcotic Drugs of 1961,[66]

Convinced that civil society, including non-governmental organizations, can make an effective contribution to addressing the illicit drug problem,

Recognizing that the use of the Internet poses new opportunities and challenges to international cooperation in combating drug abuse and illicit production and trafficking,

Acknowledging that there are links, under certain circumstances, between poverty and the increase in the illicit production of and trafficking in narcotic drugs and psychotropic substances and that the promotion of the economic development of countries affected by the illicit drug trade requires appropriate measures, including strengthened international cooperation in support of alternative and sustainable development activities in the affected areas of those countries, which have as their objectives the reduction and elimination of illicit drug production,

Stressing that respect for human rights is and must be an essential component of measures taken to address the drug problem,

Emphasizing the need for a continued analysis of transit routes used by drug traffickers, which are constantly changing and expanding to include a growing number of countries and regions in all parts of the world,

Underlining the role of the Commission on Narcotic Drugs as the principal United Nations policy-making body on drug control issues, the leadership role and commendable work of the United Nations International Drug Control Programme as the main focus for concerted international action and the important role of the International Narcotics Control Board as an independent monitoring authority, as set out in the international drug control treaties,

Recalling the important and central role of relevant United Nations bodies in evaluating the implementation by States parties of their obligations under the United Nations drug control treaties, as set out in those treaties,

Also recalling that in resolution 51/64, section IV, it decided to convene, for three days in June 1998, a special session of the General Assembly to consider the fight against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances and related activities and to propose strategies, methods, practical activities and specific measures to strengthen international cooperation in addressing the problem of illicit drugs, and convinced that the special session will make a significant contribution to the effectiveness of the United Nations and its Member States in the fight against this global problem,

I

RESPECT FOR THE PRINCIPLES ENSHRINED IN THE CHARTER OF THE UNITED NATIONS AND INTERNATIONAL LAW IN THE FIGHT AGAINST DRUG ABUSE AND ILLICIT PRODUCTION AND TRAFFICKING

1. *Reaffirms* that the fight against drug abuse and illicit trafficking must be carried out in full conformity with the purposes and principles enshrined in the Charter of the United Nations and international law, particularly respect for the sovereignty and territorial integrity of States and the non-use of force or the threat of force in international relations;

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[60] See *Report of the International Conference on Drug Abuse and Illicit Trafficking, Vienna, 17-26 June 1987* (United Nations publication, Sales No. E.87.I.18), chap. I, sect. B.

[61] Ibid., sect. A.

[62] Resolution S-17/2, annex.

[63] A/45/262, annex.

[64] See A/49/139-E/1994/57.

[65] A/49/748, annex, chap. I, sect.A.

[66] United Nations, *Treaty Series*, vol. 520, No. 7515.

2. *Calls upon* all States to intensify their actions to promote effective cooperation in the efforts to combat drug abuse and illicit trafficking so as to contribute to a climate conducive to achieving that end, on the basis of the principles of equal rights and mutual respect;

II

INTERNATIONAL ACTION TO COMBAT DRUG ABUSE AND ILLICIT PRODUCTION AND TRAFFICKING

1. *Renews its commitment* to further strengthening international cooperation and substantially increasing efforts against the cultivation for illegal purposes, illicit production, sale, demand, traffic and distribution of narcotics and psychotropic substances, including synthetic drugs, and to controlling and preventing the diversion of precursors and essential chemicals used in the illicit manufacture of narcotic and psychotropic substances, in accordance with obligations of States under the United Nations drug control conventions, based on the principle of shared responsibility and taking into account experience gained;

2. *Urges* all States to ratify or accede to and implement all the provisions of the Single Convention on Narcotic Drugs of 1961[66] as amended by the 1972 Protocol,[67] the Convention on Psychotropic Substances of 1971[68] and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;[69]

3. *Calls upon* all States to adopt adequate national laws and regulations, to strengthen national judicial systems and to carry out effective drug control activities in cooperation with other States in accordance with those international instruments;

4. *Requests* the United Nations International Drug Control Programme:

(*a*) To continue to support the focus on regional, subregional and national strategies for drug abuse control, in particular the master-plan approach, and to complement those strategies with effective interregional strategies;

(*b*) To undertake additional measures to strengthen the dialogue and cooperation with multilateral development banks so that they may undertake lending and programming activities related to drug control in interested and affected countries and to keep the Commission on Narcotic Drugs informed on further progress made in this area;

(*c*) To continue to provide legal assistance to Member States that request it in adjusting their national laws, policies and infrastructures to implement the international drug control conventions, as well as assistance in training personnel responsible for applying the new laws;

(*d*) To continue providing assistance to Member States requesting support in establishing or strengthening national drug detection laboratories;

(*e*) To continue to include in its report on illicit traffic in drugs an assessment of worldwide trends in illicit traffic and transit in narcotic drugs and psychotropic substances, including methods and routes used, and to recommend ways and means for improving the capacity of States along those routes to deal with all aspects of the drug problem;

5. *Reaffirms* the danger and threat posed to civil society by illicit drug trafficking and its links to terrorism, transnational crime, money laundering and the illicit arms trade, and encourages Governments to deal with this threat and to cooperate to prevent the channelling of funds to and between those engaged in such activities;

6. *Calls upon* States to adopt effective measures to stem the illicit trade in small arms, which, as a result of its close link to the illicit drug trade, is generating extremely high levels of crime and violence within the societies of some States, threatening the national security and economies of those States;

7. *Acknowledges* that there are links between the illicit production of, demand for and traffic in narcotic drugs and psychotropic substances and the economic and social conditions in the affected countries and that there are differences and diversity in the problems of each country;

8. *Calls upon* the international community to provide increased economic and technical support to Governments that request it for programmes of alternative and sustainable development, which have as their objectives the reduction and elimination of illicit drug production and which take fully into account the cultural traditions of peoples;

9. *Recalls* the World Programme of Action for Youth to the Year 2000 and Beyond adopted by the General Assembly on 14 December 1995,[70] and stresses the importance of participation of youth organizations and youth in decision-making processes, in particular in relation to demand reduction programmes for illicit drugs;

10. *Stresses* the need for effective government action to prevent the diversion to illicit markets of precursors and essential chemicals, materials and equipment used in the illicit manufacture of narcotic drugs and psychotropic substances;

11. *Commends* the valuable work, the reports and recommendations of the International Narcotics Control Board in monitoring the production and distribution of narcotic drugs and psychotropic substances so as to limit their use to medical and scientific purposes, and urges increased efforts to implement its mandate under article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and

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[67] Ibid., vol. 976, No. 14152.

[68] Ibid., vol. 1019, No. 14956.

[69] See *Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November-20 December 1988*, vol. I (United Nations publication, Sales No. E.94.XI.5).

[70] Resolution 50/81, annex.

Psychotropic Substances of 1988 concerning the monitoring of the movement of precursors and essential chemicals;

12. *Notes* that the International Narcotics Control Board needs sufficient resources to carry out its mandate, including under article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, and therefore urges Member States to commit themselves in a common effort to assign adequate and sufficient budgetary resources to the Board, in accordance with Economic and Social Council resolution 1996/20 of 23 July 1996;

13. *Calls upon* States to increase efforts, with international cooperation, to reduce and eliminate illegal crops from which narcotics are obtained, as well as to prevent and reduce the demand for and the consumption of illicit drugs, in accordance with their obligations under the Single Convention on Narcotic Drugs of 1961 and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;

14. *Underlines* the need for Governments, with international cooperation, to increase and implement alternative development programmes with the objective of reducing and eliminating the production of illicit drugs, taking into account the economic, social, cultural, political and environmental aspects of the area concerned;

15. *Emphasizes* the need to maintain the capacity of the International Narcotics Control Board, including through the provision of appropriate means by the Secretary-General and adequate technical support by the United Nations International Drug Control Programme;

16. *Reaffirms* the importance of achieving the objectives of the United Nations Decade against Drug Abuse, 1991-2000, under the theme "A global response to a global challenge", by Member States, the United Nations International Drug Control Programme and the United Nations system;

17. *Urges* the Commission on Narcotic Drugs to complete its work on the draft declaration on the guiding principles of demand reduction being developed by the Executive Director of the United Nations International Drug Control Programme, in consultation with Member States, and to submit it for adoption by the General Assembly at its special session in 1998, and calls upon Member States to continue to cooperate with the Programme by providing relevant information and their views on the draft declaration with due regard to the linkages between demand and supply reduction activities;

18. *Also urges* the Commission on Narcotic Drugs, acting as the preparatory body for the special session of the General Assembly, to complete its work concerning money laundering, judicial cooperation, precursors, stimulants, alternative development and on a political commitment, in preparation for the special session;

19. *Welcomes* Economic and Social Council resolution 1997/41 of 21 July 1997 on the implementation of comprehensive measures to counter the illicit manufacture, trafficking and abuse of amphetamine-type stimulants and their precursors, and calls upon Member States to strengthen their efforts to control precursors and their substitutes in cooperation with the International Narcotics Control Board and to implement as a high priority the measures contained in that resolution;

20. *Takes note* of the Baku Accord on Regional Cooperation against Illicit Cultivation, Production, Trafficking, Distribution and Consumption of Narcotic Drugs and Psychotropic Substances and their Precursors,[71] and welcomes the contribution of the Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East on international action to combat drug abuse and illicit production and trafficking;

III

GLOBAL PROGRAMME OF ACTION

1. *Reaffirms* the importance of the Global Programme of Action[62] as a comprehensive framework for national, regional and international action to combat illicit production of, demand for and trafficking in narcotic drugs and psychotropic substances;

2. *Calls upon* States to implement the mandates and recommendations of the Global Programme of Action, with a view to translating it into practical action for drug abuse control at the national, regional and international levels;

3. *Urges* all Governments and competent regional organizations to develop a balanced approach within the framework of comprehensive demand reduction activities, giving adequate priority to prevention, treatment, research, social reintegration and training, in the context of national strategic plans to combat drug abuse, which should include raising public awareness concerning the detrimental effects of drug abuse;

4. *Calls upon* the relevant United Nations bodies, the specialized agencies, the international financial institutions and other concerned intergovernmental organizations and all actors of civil society, notably non-governmental organizations, community-based organizations, sports associations, the media and the private sector, to cooperate more closely with and to assist States in their efforts to promote and implement the Global Programme of Action;

5. *Welcomes* the efforts made by the Commission on Narcotic Drugs and the United Nations International Drug Control Programme to facilitate reporting by Governments on the implementation of the Global Programme of Action, and encourages them to pursue those efforts so as to increase the number of Governments that report on a regular basis;

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[71] Economic and Social Council resolution 1997/39, annex.

6. *Notes* the efforts being made by the United Nations International Drug Control Programme and other United Nations bodies to obtain reliable data on drug abuse and illicit trafficking, including the development of the International Drug Abuse Assessment System, encourages the Programme, in cooperation with other United Nations bodies, to take further steps to facilitate the efficient collection of data so as to avoid duplication of effort, and also encourages the increased and timely provision of updated information by Member States;

7. *Reaffirms* the importance of strengthening the role of the International Narcotics Control Board and development of a unified information system for the collection and analysis of data concerning the nature, patterns and trends of the global problem of drug abuse, as called for by the Economic and Social Council in its resolution 1996/20 of 23 July 1996;

8. *Invites* the United Nations International Drug Control Programme to continue providing assistance to Member States that request it in their efforts to establish appropriate mechanisms to collect and analyse data and to seek voluntary resources for this purpose;

9. *Underlines* the importance of precise and reliable information on the impact of the drug problem on the world economy;

10. *Calls upon* Member States to continue to make efforts to provide systematic, precise and updated information to the United Nations International Drug Control Programme on the various ways in which the drug problem affects their economies;

IV

SPECIAL SESSION OF THE GENERAL ASSEMBLY DEVOTED TO THE FIGHT AGAINST THE ILLICIT PRODUCTION, SALE, DEMAND, TRAFFIC AND DISTRIBUTION OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES AND RELATED ACTIVITIES

1. *Takes note with appreciation* of the report of the Commission on Narcotic Drugs acting as the preparatory body for the special session of the General Assembly devoted to the fight against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances and related activities;[72]

2. *Decides* that the special session will be held, as recommended by the Economic and Social Council in its decision 1997/238 of 21 July 1997, from 8 to 10 June 1998, and calls upon Member States to participate at a high political level;

3. *Stresses* that the special session should be devoted to assessing the existing situation within the framework of a comprehensive and balanced approach that includes all aspects of the problem, with a view to strengthening international cooperation to address the problem of illicit drugs within the framework of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988[69] and other relevant conventions and international instruments;

4. *Reaffirms* that, at its special session, it will address the issues on the basis of the principle of shared responsibility and with full respect for the principles enshrined in the Charter of the United Nations and international law, in particular respect for the sovereignty and territorial integrity of States;

5. *Invites* the Commission on Narcotic Drugs to continue to take all necessary measures to ensure adequate preparation of the special session;

6. *Takes note* of Economic and Social Council decision 1997/234, of 21 July 1997, in which the Council decided that the Commission on Narcotic Drugs should devote at least five days at its forty-first session to the preparation of the special session;

7. *Notes with appreciation* the initiatives of Member States aimed at providing inputs to the Commission on Narcotic Drugs in its capacity as the preparatory body for the special session, including the convening of groups of high-level governmental experts;

8. *Recognizes* the important role played by non-governmental organizations in the implementation of the Global Programme of Action contained in the annex to its resolution S-17/2 of 23 February 1990, and recognizes the need for their active involvement in preparations for the special session, as well as the need to ensure appropriate arrangements for their substantive contribution and active involvement during the special session, and, in that context, invites the President of the General Assembly to propose to Member States, in consultation with them, appropriate modalities for the effective involvement of non-governmental organizations in the special session;

9. *Decides* to invite States members of the specialized agencies of the United Nations that are not members of the United Nations to participate in the work of the special session in the capacity of observers;

10. *Reaffirms* the objectives of the special session contained in section IV, paragraphs 11 and 12, of resolution 51/64, which provide the basis for the draft agenda of the special session;

11. *Welcomes* Economic and Social Council decision 1997/239 of 21 July 1997 on the preparations for the special session;

12. *Invites* the Commission on Narcotic Drugs, in its capacity as the preparatory body, to report to the General Assembly at its special session on the preparations for the special session;

13. *Stresses* the importance of taking into account a gender perspective in preparing the reports of the special session;

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[72] E/1997/48.

14. *Urges* organs, organizations and the specialized agencies of the United Nations system, including multilateral development banks, to contribute fully to the preparations for the special session, in particular by submitting, as soon as possible, to the Commission on Narcotic Drugs, acting as the preparatory body for the special session, through the Executive Director of the United Nations International Drug Control Programme, concrete recommendations on the issues to be addressed by the special session;

15. *Requests* the Secretary-General to provide the necessary support to ensure the success of the special session and to give particular attention to the need for raising global awareness of the holding of the special session and of its importance;

V

IMPLEMENTATION OF THE UNITED NATIONS SYSTEM-WIDE ACTION PLAN ON DRUG ABUSE CONTROL: ACTION BY ORGANIZATIONS OF THE UNITED NATIONS SYSTEM

1. *Supports* the United Nations System-wide Action Plan on Drug Abuse Control[64] as a vital tool for the coordination and enhancement of drug abuse control activities within the United Nations system;

2. *Reaffirms* the role of the Executive Director of the United Nations International Drug Control Programme in coordinating and providing effective leadership for all United Nations drug control activities so as to increase cost-effectiveness and ensure coherence of action within the Programme as well as coordination, complementarity and non-duplication of such activities throughout the United Nations system;

3. *Urges* the United Nations organizations associated with the System-wide Action Plan to collaborate further with the United Nations International Drug Control Programme to integrate the drug control dimension and assistance into their programming and planning processes in order to ensure that the drug problem is being addressed in all its aspects in relevant programmes;

4. *Takes note* of the recent action taken by the Administrative Committee on Coordination to ensure the increased commitment by the specialized agencies, programmes and funds, as well as international financial institutions, to include the drug control dimension in their programmes of work;

5. *Invites* Member States to engage United Nations agencies and multilateral development banks in addressing the drug problem in all its aspects and to promote due consideration by governing bodies of requests for assistance for drug control programmes at the national level;

VI

UNITED NATIONS INTERNATIONAL DRUG CONTROL PROGRAMME

1. *Welcomes* the efforts of the United Nations International Drug Control Programme to implement its mandate within the framework of the international drug control treaties, the Comprehensive Multidisciplinary Outline of Future Activities in Drug Abuse Control,[61] the Global Programme of Action[62] and relevant consensus documents;

2. *Also welcomes* the publication of the *World Drug Report* prepared by the United Nations International Drug Control Programme;

3. *Notes with concern* the decline of available resources for the Fund of the United Nations International Drug Control Programme;

4. *Welcomes* Commission on Narcotic Drugs resolution 6 (XL) of 25 March 1997 concerning the revised budget for the biennium 1996-1997 and outline for the biennium 1998-1999 for the Fund of the United Nations International Drug Control Programme and the programme support cost,[73] and urges all Governments to provide the fullest possible financial and political support to the Programme by widening its donor base and increasing voluntary contributions, in particular general-purpose contributions, to enable it to continue, expand and strengthen its operational and technical cooperation activities;

5. *Invites* Governments and the United Nations International Drug Control Programme to consider ways and means of improving the coordination of United Nations activities related to drug control;

6. *Notes with appreciation* the efforts made by the Executive Director of the United Nations International Drug Control Programme to comply with the approved format and methodology of the programme budget of the Fund and to improve the budget presentation for the biennium 1996-1997 and the proposed outline for the biennium for 1998-1999, in accordance with relevant resolutions of the Commission on Narcotic Drugs and the General Assembly and the recommendations of the Advisory Committee on Administrative and Budgetary Questions, and encourages the Executive Director to continue his efforts to improve the presentation of the budget;

7. *Stresses* the importance of the meetings of heads of national drug law enforcement agencies, and encourages them to consider ways to improve their functioning and to strengthen their impact so as to enhance cooperation in the fight against drugs at the regional level;

8. *Also stresses* the need to strengthen United Nations activities in the field of narcotic drugs, and takes note of Economic and Social Council resolution 1997/37 of 21 July

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[73] See *Official Records of the Economic and Social Council, 1997, Supplement No. 8* (E/1997/28), chap. XIV.

1997 entitled "Review of the United Nations International Drug Control Programme: strengthening the United Nations machinery for international drug control within the scope of the existing international drug control treaties and in accordance with the basic principles of the Charter of the United Nations";

VII

1. *Takes note* of the report of the Secretary-General;[74]

2. *Requests* the Secretary-General, taking into account the promotion of integrated reporting:

(*a*) To include in his annual report on the implementation of the Global Programme of Action recommendations on ways and means to improve implementation and provision of information by Member States;

(*b*) To submit to the General Assembly at its fifty-third session an updated report on the status of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.[69]

70th plenary meeting
12 December 1997

52/93. Improvement of the situation of women in rural areas

The General Assembly,

Recalling its resolution 34/14 of 9 November 1979, in which it endorsed the Declaration of Principles and the Programme of Action as adopted by the World Conference on Agrarian Reform and Rural Development,[75] and its resolutions 44/78 of 8 December 1989, 48/109 of 20 December 1993 and 50/165 of 22 December 1995,

Recalling also the importance attached to the problems of rural women by the Nairobi Forward-looking Strategies for the Advancement of Women[76] and by the Beijing Declaration[77] and the Platform for Action [78] adopted by the Fourth World Conference on Women,

Recalling further its resolution 47/174 of 22 December 1992, in which it welcomed the adoption of the Geneva Declaration for Rural Women by the Summit on the Economic Advancement of Rural Women, held at Geneva in February 1992,[79] and urged all States to work for the achievement of the goals endorsed in that Declaration,

Welcoming the growing awareness of Governments of the need for strategies and programmes to improve the situation of women in rural areas,

Welcoming also the Declaration and Plan of Action adopted by the Microcredit Summit, held in Washington in February 1997,[80] in which micro-finance was identified as an important instrument of poverty alleviation, including for rural women,

Noting with deep concern that the economic and financial crises in many developing countries have severely affected the socio-economic status of women, especially in rural areas, and the continuing rise in the number of rural women living in poverty, including girls and older women,

Mindful of the need for fuller recognition and appreciation of the contribution of rural women to socio-economic development, including human capital development,

Mindful also that, despite the global trend towards rapid urbanization, many developing countries are still largely rural,

Recognizing the urgent need to take appropriate measures aimed at further improving the situation of women in rural areas,

1. *Takes note* of the report of the Secretary-General on the improvement of the situation of women in rural areas;[81]

2. *Invites* Member States, in their efforts to implement the outcome of the United Nations Conference on Environment and Development, the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development, the Fourth World Conference on Women, the World Food Summit and the second United Nations Conference on Human Settlements (Habitat II), and bearing in mind the Geneva Declaration for Rural Women, to attach greater importance to the improvement of the situation of rural women, including older women, in their national development strategies, paying special attention to both their practical and strategic needs, by, *inter alia*:

(*a*) Integrating the concerns of rural women into national development policies and programmes, in particular by placing a higher priority on budgetary allocation related to the interests of rural women;

(*b*) Strengthening national machineries and establishing institutional linkages among governmental bodies in various sectors and non-governmental organizations concerned with rural development;

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[74] A/52/296.

[75] See *Report of the World Conference on Agrarian Reform and Rural Development, Rome, 12-20 July 1979* (WCARRD/REP), transmitted to the General Assembly by a note by the Secretary-General (A/34/485).

[76] *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985* (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

[77] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[78] Ibid., annex II.

[79] A/47/308-E/1992/97, annex.

[80] A/52/113-E/1997/18, annex I.

[81] A/52/326.

(*c*) Increasing the awareness of rural women of their rights and their role in political and socio-economic development;

(*d*) Increasing the participation of rural women in the decision-making process at the local and national levels;

(*e*) Designing and revising laws to ensure that women have equal access to and control over land, unmediated by male relatives, in order to end land rights discrimination; according women secure use rights and full representation in the decision-making bodies that allocate land and other forms of property, credit, information and new technologies; in the implementation of the Platform for Action of the Fourth World Conference on Women,[78] according women full and equal rights to own land and other property, *inter alia*, through inheritance; acknowledging, in the context of land reform programmes, the equality of women's rights to land and taking other measures to increase land availability to poor women and men;

(*f*) Investing in the human resources of rural women, particularly through health and literacy programmes and social support measures;

(*g*) Promoting and strengthening micro-financing policies and programmes, cooperatives and other employment opportunities;

(*h*) Ensuring that women's unpaid work and contributions to on-farm and off-farm production, including income generated in the informal sector, are visible and recorded in economic surveys and statistics at the national level;

3. *Requests* the international community and relevant United Nations organizations and bodies to promote further the realization of the programmes and projects aimed at the improvement of the situation of rural women within the overall framework of integrated follow-up to recent global conferences;

4. *Requests* the Secretary-General to prepare, in consultation with Member States and relevant United Nations organizations, a report on the implementation of the present resolution and to submit it, through the Economic and Social Council, to the General Assembly at its fifty-fourth session.

70th plenary meeting
12 December 1997

52/94. United Nations Development Fund for Women

The General Assembly,

Recalling its resolution 31/133 of 16 December 1976, in which it established the Voluntary Fund for the United Nations Decade for Women, and the Platform for Action of the Fourth World Conference on Women,[82] which reaffirmed that the Fund had the mandate to increase options and opportunities for women's economic and social development in developing countries,

Recalling also its resolution 39/125 of 14 December 1984, in which it decided to transform the Voluntary Fund into the United Nations Development Fund for Women and to make the Fund a separate and identifiable entity in autonomous association with the United Nations Development Programme,

Stressing the important contribution the Fund continues to make in providing technical assistance to enable Governments and organizations of the United Nations system, as well as other intergovernmental and non-governmental organizations, to formulate and support policies and innovative activities that directly benefit and empower women,

Considering the innovative and experimental activities of the Fund directed towards strengthening both governmental and non-governmental institutional capacities to ensure women access to development cooperation resources and full participation at all levels in the development process,

Taking note of the importance of the work of the Consultative Committee on the United Nations Development Fund for Women in policy and programme directions, in accordance with the mandate of the Fund,

1. *Takes note* of the note by the Secretary-General transmitting the report on the activities of the United Nations Development Fund for Women;[83]

2. *Emphasizes* the important work of the Fund in women's empowerment and gender equality within the framework of implementing the Platform for Action of the Fourth World Conference on Women, and, in that context, notes the recently adopted strategy and business plan;

3. *Reaffirms* the catalytic role of the Fund in further developing and strengthening women's empowerment by enhancing the integration of a gender perspective into all development programmes, in accordance with its mandate;

4. *Stresses* the role of the Fund as a development fund in supporting activities related to women's economic and social development in developing countries;

5. *Notes* the intention of the Fund further to focus its interventions in support of women's empowerment and gender equality;

6. *Encourages* the Fund to continue to contribute to mainstreaming a gender perspective into all development efforts of Governments, organizations of the United Nations system and civil society;

7. *Also encourages* the Fund to strengthen its work within the United Nations system at the national level through the resident coordinator system, focusing on strategic interventions and building upon its comparative advantages, in

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[82] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[83] A/52/300, annex.

order to promote systemic change, in particular with regard to women's political and economic empowerment;

8. *Endorses* the role of the Fund in strengthening women's economic capacity, encouraging women to become key economic players in combating the feminization of poverty and strengthening women's leadership and political empowerment so as to increase their participation in decision-making processes;

9. *Recognizes* the important role the Fund plays in promoting the realization of women's civil, cultural, economic, political and social rights so as to facilitate their full participation in society;

10. *Welcomes* the operationalization of the Trust Fund in Support of Action to Eliminate Violence against Women, and requests the United Nations Development Fund for Women to disseminate information on best practices and strategic interventions funded under that initiative which should contribute to the eradication of violence against women as an obstacle to development;

11. *Encourages* the United Nations Development Fund for Women, in order to fulfil its mandate, to continue to mobilize resources for its activities in a comprehensive manner from all available sources, including the private sector, and urges all Member States to contribute and to consider increasing their contributions to the Fund;

12. *Requests* the Secretary-General to transmit to the General Assembly at its fifty-third session a report on the activities of the United Nations Development Fund for Women, to be submitted in accordance with resolution 39/125.

70th plenary meeting
12 December 1997

52/95. International Research and Training Institute for the Advancement of Women

The General Assembly,

Recalling its resolution 50/163 of 22 December 1995,

Taking note of Economic and Social Council resolution 1996/39 of 25 July 1996,

Taking note also of the report of the Board of Trustees of the International Research and Training Institute for the Advancement of Women on its seventeenth session,[84]

Reaffirming paragraph 334 of the Platform for Action adopted by the Fourth World Conference on Women on 15 September 1995,[85]

Concerned about the declining resource base of the Institute,

1. *Welcomes* the appointment of the Director of the International Research and Training Institute for the Advancement of Women, and takes note with appreciation of the work done by the previous Acting Director;

2. *Urges* the Secretary-General to fill the existing vacancies in the Institute in order to permit it to carry out its mandate;

3. *Emphasizes* the role of the Institute as the only gender unit for research and training within the United Nations system, and reiterates the relevant provisions contained in the agreed conclusions 1997/3 of 21 July 1997 of the Economic and Social Council;[86]

4. *Requests* the Institute to continue its cooperation with relevant entities of the United Nations system;

5. *Also requests* the Institute to better coordinate its activities for gender mainstreaming with relevant entities of the United Nations system with a view to developing joint activities and work plans in appropriate areas;

6. *Welcomes* the fact that in its activities the Institute places a high priority on the obstacles that limit or impede women from becoming equal partners in development;

7. *Expresses its appreciation* to those Governments and organizations that have contributed to and supported the activities of the Institute;

8. *Invites* Member States, intergovernmental organizations, the private sector and civil society to contribute generously to the United Nations Trust Fund for the International Research and Training Institute for the Advancement of Women, thus enabling the Institute to respond effectively to its mandate;

9. *Requests* the Director of the International Research and Training Institute for the Advancement of Women to develop a funding strategy and to establish a link between the activities of the Institute and its resource base;

10. *Requests* the Secretary-General to submit to the General Assembly at its fifty-fourth session a report on the implementation of the present resolution.

70th plenary meeting
12 December 1997

52/96. Improvement of the status of women in the Secretariat

The General Assembly,

Recalling Articles 1 and 101 of the Charter of the United Nations, as well as Article 8, which provides that the United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs,

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[84] E/1997/53.

[85] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[86] A/52/3, chap. IV, sect. B. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 3.*

Recalling also the goal, contained in the Platform for Action adopted by the Fourth World Conference on Women,[87] of the achievement of overall gender equality, particularly at the Professional level and above, by the year 2000,

Recalling further its resolution 51/67 of 12 December 1996 and section C of its resolution 51/226 of 3 April 1997 on the status of women in the Secretariat,

Welcoming the achievement of the interim goal set in its resolution 45/125 of 14 December 1990 of a 35 per cent overall participation rate of women in posts subject to geographical distribution,

Concerned that the interim goal set in its resolution 45/239 C of 21 December 1990 of a 25 per cent participation rate of women in posts at the D-1 level and above is still far from being achieved and that the representation of women at that level remains unacceptably low,

1. *Welcomes* the report of the Secretary-General and the recommendations contained therein;[88]

2. *Reaffirms* the goal of 50/50 gender distribution by the year 2000 in all categories of posts within the United Nations system, especially at the D-1 level and above, with full respect for the principle of equitable geographical distribution, in conformity with Article 101 of the Charter of the United Nations, and also taking into account the lack of representation or under-representation of women from certain countries, in particular from developing countries as well as countries with economies in transition;

3. *Welcomes* the personal commitment of the Secretary-General to meeting that goal and his assurance that gender balance will be given the highest priority in his continuing efforts to bring about a new management culture in the Organization;

4. *Calls upon* the Secretary-General to implement fully and to monitor the strategic plan of action for the improvement of the status of women in the Secretariat (1995-2000)[89] in order to achieve the goal of 50/50 gender distribution by the year 2000, especially at the D-1 level and above;

5. *Encourages* the Secretary-General to appoint more women as special representatives and envoys and to pursue good offices on his behalf in matters related to peacekeeping, preventive diplomacy and economic and social development, as well as to appoint more women to other high-level positions;

6. *Requests* the Secretary-General to ensure that individual managers are held accountable for implementing the strategic plan within their areas of responsibility;

7. *Also requests* the Secretary-General to continue his work to create a gender-sensitive work environment supportive of the needs of his staff, both women and men, including through the development of policies for flexible working time, workplace possibilities, family leave, childcare and elder-care needs, as well as through training, particularly at senior levels, and the implementation of all appropriate administrative procedures, in particular the special measures outlined in his report, and through further development of a policy against sexual harassment;

8. *Further requests* the Secretary-General to enable the Focal Point for Women in the Office of the Special Adviser on Gender Issues and Advancement of Women to effectively monitor and facilitate progress on the implementation of the strategic plan, including by ensuring access to the information required to carry out that work;

9. *Strongly encourages* Member States to support the efforts of the United Nations and the specialized agencies to achieve the goal of 50/50 gender distribution, especially at the D-1 level and above, by identifying and regularly submitting more women candidates and encouraging more women to apply for those positions within the Secretariat, the specialized agencies and the regional commissions;

10. *Requests* the Secretary-General to report on the implementation of the present resolution, including by providing statistics on the number and percentage of women in all organizational units and at all levels throughout the United Nations system, to the Commission on the Status of Women at its forty-second session and to the General Assembly at its fifty-third session.

70th plenary meeting
12 December 1997

52/97. Violence against women migrant workers

The General Assembly,

Recalling all previous resolutions on violence against women migrant workers adopted by the General Assembly, the Commission on the Status of Women, the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice, as well as the Declaration on the Elimination of Violence against Women,[90]

Reaffirming the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[91] the International Conference on Population and Development,[92] the World Summit for Social Development[93] and the Fourth World Conference on Women,[94] specifically as the results pertain to women migrant workers,

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[87] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[88] A/52/408.

[89] A/49/587 and Corr.1, sect. IV.

[90] Resolution 48/104.

[91] See A/CONF.157/24 (Part I), chap. III.

[92] See *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18).

Emphasizing the need for accurate, objective and comprehensive information, as well as for a wide exchange of experiences and lessons learned by individual countries in protecting and promoting the rights and welfare of women migrant workers for policy formulation and joint action,

Acknowledging the results of the Expert Group Meeting on Violence against Women Migrant Workers, held at Manila from 27 to 31 May 1996, and the comments thereon by Member States and relevant international organizations,

Noting the large numbers of women from developing countries and some countries with economies in transition who continue to venture forth to more affluent countries in search of a living for themselves and their families as a consequence of poverty, unemployment and other socio-economic conditions, and acknowledging the duty of the sending States to work for conditions that provide employment and security to their citizens,

Acknowledging the economic benefits that accrue to sending and receiving States from the employment of women migrant workers,

Recognizing the importance of joint and collaborative approaches at the bilateral, regional, interregional and international levels in protecting and promoting the rights and welfare of women migrant workers,

Underlining the important role of relevant United Nations treaty bodies in monitoring the implementation of human rights conventions and the relevant special procedures, within their respective mandates, in addressing the problem of violence against women migrant workers and in protecting and promoting their rights and welfare,

1. *Welcomes* the report of the Secretary-General on violence against women migrant workers;[95]

2. *Encourages* concerned Governments, in particular those of sending and receiving countries, to develop, as appropriate, systematic data collection methods and to update and share information on violence against women migrant workers;

3. *Urges* concerned Governments, in particular those of sending and receiving countries, to strengthen their national efforts to protect and promote the rights and welfare of women migrant workers, including through sustained bilateral, regional, interregional and international cooperation, by developing strategies and joint action and by taking into account the innovative approaches and experiences of individual Member States;

4. *Also urges* concerned Governments, in particular those of sending and receiving countries, to support and allocate appropriate resources for programmes aimed at strengthening preventive action, in particular information for relevant target groups and education and campaigns to increase public awareness of this issue at the national and grassroots levels, in cooperation with non-governmental organizations;

5. *Encourages* concerned Governments, in particular those of sending and receiving countries, to support training programmes for public officials dealing with the problem of violence against women migrant workers, in particular law enforcers, to assist women migrant workers who are victims of violence, to provide, in the reporting of such cases and the prosecution of the perpetrators, adequate consular, counselling, legal and welfare services and to consider adopting appropriate legal measures against intermediaries who deliberately encourage the clandestine movement of workers and who exploit women migrant workers;

6. *Encourages* Member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[96] as well as the Slavery Convention of 1926;[97]

7. *Invites* all relevant United Nations human rights treaty bodies, in particular the Committee on the Elimination of Discrimination against Women, relevant thematic and country rapporteurs, in particular the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences, the Subcommission on Prevention of Discrimination and Protection of Minorities and its working groups, within their respective mandates, to address the problem of violence against women migrant workers in their deliberations and findings, with a view to promoting and protecting their rights and welfare;

8. *Invites* the Commission on the Status of Women to address the issue of violence against women migrant workers at its forty-second session under the thematic issues on violence against women and/or human rights of women;

9. *Invites* the Economic and Social Council and the Commission on Human Rights, at their sessions in 1998, to address the protection and promotion of the rights and welfare of women migrant workers in connection with the five-year review of the Vienna Declaration and Programme of Action[91] and the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights;[98]

10. *Requests* the Secretary-General to submit to the General Assembly at its fifty-fourth session a comprehensive

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[93] See *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8).

[94] See *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13).

[95] A/52/356.

[96] Resolution 45/158, annex.

[97] United Nations, *Treaty Series*, vol. 212, No. 2861.

[98] Resolution 217 A (III).

report on the problem of violence against women migrant workers, taking into account the views of Member States and based on the expertise and all available information from the organizations of the United Nations system, in particular the International Labour Organization, the United Nations Development Programme, the United Nations Development Fund for Women, the International Research and Training Institute for the Advancement of Women, the International Organization for Migration and other relevant sources, including non-governmental organizations, as well as to report on the implementation of the present resolution.

70th plenary meeting
12 December 1997

52/98. Traffic in women and girls

The General Assembly,

Reaffirming the principles set forth in the Universal Declaration of Human Rights,[99] the Convention on the Elimination of All Forms of Discrimination against Women,[100] the International Covenants on Human Rights,[101] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[102] the Convention on the Rights of the Child[103] and the Declaration on the Elimination of Violence against Women,[104]

Recalling the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others,[105]

Recalling also its resolution 51/66 of 12 December 1996 on traffic in women and girls,

Reaffirming the provisions of the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[106] the International Conference on Population and Development,[107] the World Summit for Social Development,[108] the Fourth World Conference on Women[109] and the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995,[110] pertaining to the traffic in women and children,

Noting with concern the increasing number of women and girl children from developing countries and from some countries with economies in transition who are being victimized by traffickers, and acknowledging that the problem of trafficking also includes the victimizing of young boys,

Emphasizing the need for more concerted and sustained national, regional and international action on the alarming levels of trafficking in women and girls,

Acknowledging the continuing work of Governments, intergovernmental and non-governmental organizations in combating trafficking in women and girls through preventive education, dissemination of information, research and the provision of shelters and programmes to rehabilitate and reintegrate survivors in society,

Deeply concerned with the increasing unabated use of new information technologies for purposes of prostitution, child pornography, paedophilia, sex tourism and trafficking in women as brides,

Convinced of the need to eliminate all forms of sexual violence and sexual trafficking, including for prostitution and other forms of commercial sex, and convinced also that sexual violence and sexual trafficking are violations of the human rights of women and girl children and are incompatible with the dignity and worth of the human person,

Stressing the need for Governments to accord standard minimum humanitarian treatment to trafficked persons consistent with human rights standards,

1. *Takes note with appreciation* of the report of the Secretary-General on the traffic in women and girls;[111]

2. *Welcomes* national, regional and international efforts to implement the recommendations of the World Congress against Commercial Sexual Exploitation of Children,[112] and calls upon Governments to take further measures in that regard;

3. *Also welcomes* actions undertaken by Governments to implement the provisions on trafficking in women and girls contained in the Platform for Action of the Fourth World Conference on Women[113] and the Vienna Declaration and Programme of Action adopted by the World Conference on

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[99] Ibid.

[100] Resolution 34/180, annex.

[101] Resolution 2200 A (XXI), annex.

[102] Resolution 39/46, annex.

[103] Resolution 44/25, annex.

[104] Resolution 48/104.

[105] Resolution 317 (IV).

[106] A/CONF.157/24 (Part I), chap. III.

[107] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[108] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[109] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[110] See A/CONF.169/16.

[111] A/52/355.

[112] *World Congress against Commercial Sexual Exploitation of Children, Stockholm, 27-31 August 1996, Final Report of the Congress*, two volumes (Stockholm, Government of Sweden, January 1997).

[113] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

Human Rights,[106] and calls upon Governments, particularly those of countries of origin, transit and destination, as well as regional and international organizations, as appropriate, to undertake immediate action or to strengthen efforts in their implementation by:

(*a*) Considering the ratification and enforcement of international conventions on trafficking in persons and on slavery;

(*b*) Taking appropriate measures to address the root factors, including external factors, that encourage trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriage and forced labour, so as to eliminate trafficking in women, including by strengthening existing legislation, with a view to providing better protection of the rights of women and girls and to punishing perpetrators, through both criminal and civil measures;

(*c*) Stepping up cooperation and concerted action by all relevant law enforcement authorities and institutions with a view to dismantling national, regional and international networks in trafficking;

(*d*) Allocating resources to provide comprehensive programmes designed to heal and rehabilitate into society victims of trafficking, including through job training, legal assistance and confidential health care, and by taking measures to cooperate with non-governmental organizations to provide for the social, medical and psychological care of the victims of trafficking;

(*e*) Developing educational and training programmes and policies and considering enacting legislation to prevent sex tourism and trafficking, giving special emphasis to the protection of young women and children;

4. *Calls upon* Governments to criminalize trafficking in women and girls in all its forms, to condemn and penalize all those offenders involved, including intermediaries, whether their offence was committed in their own or in a foreign country, while ensuring that the victims of those practices are not penalized, and to penalize persons in authority found guilty of sexually assaulting victims of trafficking in their custody;

5. *Urges* concerned Governments to support and allocate resources for programmes to strengthen preventive action, in particular education and campaigns to increase public awareness of the issue at the national and grass-roots level, and for programmes which provide shelter and helplines to victims or potential victims;

6. *Encourages* Governments to develop systematic data-collection methods and to continuously update information on trafficking in women and girls, including the analysis of the modus operandi of trafficking syndicates;

7. *Urges* Governments to strengthen national programmes to combat trafficking in women and girls through sustained bilateral, regional and international cooperation, taking into account innovative approaches and best practices;

8. *Invites* Governments once again, with the support of the United Nations, to formulate training manuals for law enforcement and medical personnel and judicial officers who handle cases of trafficked women and girls, taking into account current research and materials on traumatic stress and gender-sensitive counselling techniques, with a view to sensitizing them to the special needs of victims;

9. *Invites* Governments and civil society, especially non-governmental organizations, to the extent consistent with freedom of expression, to promote the responsible use of new information technologies, in particular the Internet, to prevent trafficking in women and girls;

10. *Invites* States parties to the Convention on the Elimination of All Forms of Discrimination against Women[100] and the Convention on the Rights of the Child[103] to include information and statistics on trafficking in women and girls as part of their national reports to the Committee on the Elimination of Discrimination against Women, taking into account the general recommendation of the Committee, and to the Committee on the Rights of the Child, respectively;

11. *Invites* the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences, the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography and the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights to continue addressing, within their respective mandates, the problem of trafficking in women and girls as a priority concern and to recommend, in their reports, measures to combat such phenomena;

12. *Encourages* the Inter-Agency Committee on Women and Gender Equality to continue to address the issue as part of the integrated follow-up to the Fourth World Conference on Women;

13. *Invites* the Commission on the Status of Women, at its next session, to address the subject of the traffic in women and girls under the thematic issues on violence against women and the human rights of women;

14. *Invites* the Economic and Social Council and the Commission on Human Rights, at their sessions in 1998, to address trafficking in women and girls in connection with the five-year review of the Vienna Declaration and Programme of Action and in commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights;[99]

15. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution, in particular the implementation of the relevant provisions on trafficking in women and girls in the Platform for Action of the Fourth World Conference on Women and the Vienna Declaration and Programme of Action.

70th plenary meeting
12 December 1997

52/99. Traditional or customary practices affecting the health of women and girls

The General Assembly,

Recalling:

(*a*) General Assembly resolution 843 (IX) of 17 December 1954, Economic and Social Council resolution 1997/24 of 21 July 1997, Commission on Human Rights decision 1997/108 of 22 August 1997,[114] and Subcommission on Prevention of Discrimination and Protection of Minorities resolutions 1983/1 of 23 August 1983,[115] 1995/20 of 24 August 1995,[116] 1996/19 of 29 August 1996[117] and 1997/8 of 22 August 1997,[118]

(*b*) The reports of the Special Rapporteur of the Subcommission on Prevention of Discrimination and Protection of Minorities on traditional practices affecting the health of women and children and of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences,

(*c*) The reports of the United Nations Regional Seminars on Traditional Practices Affecting the Health of Women and Children, which were held in Burkina Faso in 1991[119] and Sri Lanka in 1994,[120] and the Plan of Action for the Elimination of Harmful Traditional Practices Affecting the Health of Women and Children,[121]

(*d*) The Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[122] which proclaims, *inter alia*, that gender-based violence and all forms of sexual harassment and exploitation, including those resulting from cultural prejudice, are incompatible with the dignity and worth of the human person and which stresses the importance of working towards the eradication of any conflicts which may arise between the rights of women and the harmful effects of certain traditional or customary practices,

(*e*) The Programme of Action of the International Conference on Population and Development,[123] which calls upon Governments and communities to take steps urgently to stop the practice of female genital mutilation and to protect women and girls from all such similar dangerous practices,

(*f*) The Beijing Declaration[124] and the Platform for Action,[125] adopted by the Fourth World Conference on Women, which, *inter alia*, call upon Governments to enact and enforce legislation against the perpetrators of practices and acts of violence against women, such as female genital mutilation, female infanticide, prenatal sex selection and dowry-related violence, and to give vigorous support to the efforts of non-governmental and community organizations to eliminate such practices,

(*g*) The commitment of all States to fulfil their obligations to promote universal respect for and observance of all human rights and fundamental freedoms,

(*h*) Article 5 of the Convention on the Elimination of All Forms of Discrimination against Women,[126] which provides that States parties shall take all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices that are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women, as reiterated in the Beijing Declaration and the Platform for Action,

(*i*) General recommendation 14 of the Committee on the Elimination of Discrimination against Women concerning female genital mutilation,[127]

(*j*) Article 24 of the Convention on the Rights of the Child,[128] which provides that States parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children,

(*k*) The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995,[129] in particular its resolution 8 of 7 May 1995 on the elimination of violence against women,

(*l*) The extensive work of the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children,

Reaffirming that certain traditional or customary practices affecting the health of women and girls constitute a definite form of violence against women and girls and a serious violation of their human rights, and expressing concern at the continuing large-scale existence of such practices,

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[114] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. B.

[115] See E/CN.4/1984/3-E/CN.4/Sub.2/1983/43 and Corr.1 and 2, chap. XXI, sect. A.

[116] See E/CN.4/1996/2-E/CN.4/Sub.2/1995/51, chap. II, sect.A.

[117] See E/CN.4/1997/2-E/CN.4/Sub.2/1996/41, chap. II, sect. A.

[118] See E/CN.4/1998/2-E/CN.4/Sub.2/1997/50, chap. II, sect.A.

[119] E/CN.4/Sub.2/1991/48.

[120] E/CN.4/Sub.2/1994/10.

[121] E/CN.4/Sub.2/1994/10/Add.1 and Corr.1.

[122] A/CONF.157/24 (Part I), chap. III.

[123] See *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[124] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[125] Ibid., annex II.

[126] Resolution 34/180, annex.

[127] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 38* (A/45/38), para. 438.

[128] Resolution 44/25, annex.

[129] See A/CONF.169/16, chap. I.

1. *Welcomes*:

(*a*) The progress achieved by a number of Governments in their struggle against harmful traditional or customary practices, in particular against female genital mutilation, and encourages the Governments in question to continue and to increase their efforts aimed at the eradication of these practices;

(*b*) The work carried out by the Special Rapporteur of the Subcommission on Prevention of Discrimination and Protection of Minorities on traditional practices affecting the health of women and children;

(*c*) The joint statement by the World Health Organization, the United Nations Children's Fund and the United Nations Population Fund on female genital mutilation, which expresses a common purpose in supporting the efforts of Governments and communities to promote and protect the health and development of women and children by promoting awareness of the problem and by educating the public, health workers and those who carry out the practice, on all its health consequences;

(*d*) The appointment of a special ambassador of the United Nations Population Fund for the elimination of female genital mutilation;

(*e*) The efforts undertaken by the United Nations Population Fund, the United Nations Children's Fund, the United Nations Development Fund for Women and other United Nations bodies, programmes and organizations to raise awareness of this issue;

(*f*) The work carried out by non-governmental and community organizations in raising awareness of the harmful effects of female genital mutilation and other traditional or customary practices affecting the health of women and girls;

(*g*) The fact that the Commission on the Status of Women will address the critical areas of concern, namely, "Violence against women", "The girl child" and "Human rights of women", at its session in 1998 and "Women and health" at its session in 1999, and invites the Commission to address the issue of harmful traditional or customary practices during those sessions;

2. *Emphasizes*:

(*a*) The need for Governments to analyse, from a gender perspective, all policies and programmes, particularly those relating to poverty, health and violence against women, with a view to assessing their implications for women and men;

(*b*) The need for national legislation and/or measures prohibiting harmful traditional or customary practices as well as for their implementation, *inter alia*, through appropriate measures against those responsible;

(*c*) The need to improve women's position in society and to promote their economic independence;

(*d*) The importance of education and the dissemination of information in raising awareness, in all sectors of society, of the serious consequences of traditional or customary practices affecting the health of women and girls and the responsibilities of Governments in this regard;

(*e*) The necessity of involving, among others, public opinion leaders, educators, religious leaders, medical practitioners, women's health and family planning organizations and the media in publicity campaigns, with a view to promoting a collective and individual awareness of the human rights of women and girls and of how harmful traditional or customary practices violate those rights;

(*f*) That information and education with regard to harmful traditional or customary practices should also be targeted at men and that they should be encouraged to be responsive to such information and education;

(*g*) The importance of coordination between the Subcommission on Prevention of Discrimination and Protection of Minorities and the relevant treaty bodies, the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences and the Commission on the Status of Women, including through the exchange of information, and encourages them, within their respective mandates, to continue to pay attention to traditional or customary practices affecting the health of women and girls;

(*h*) The need for financial and technical assistance for developing countries from United Nations funds and programmes, as well as from international and regional financial institutions and bilateral and multilateral donors, so as to assist Governments in combating such practices;

3. *Calls upon* all States:

(*a*) To implement their international commitments in this field, *inter alia*, under the Vienna Declaration and Programme of Action,[122] the Beijing Declaration[124] and the Platform for Action[125] of the Fourth World Conference on Women, the Programme of Action of the International Conference on Population and Development[123] and the Plan of Action for the Elimination of Harmful Traditional Practices Affecting the Health of Women and Children;[121]

(*b*) To ratify, if they have not yet done so, the relevant human rights treaties, in particular the Convention on the Elimination of All Forms of Discrimination against Women[126] and the Convention on the Rights of the Child,[128] and to respect and fully implement their obligations under the relevant human rights treaties to which they are parties, emphasizing the incompatibility between the continuation of these harmful traditional or customary practices and the obligations they have voluntarily undertaken through the ratification of such international human rights instruments;

(*c*) To include specific information on measures taken to eliminate traditional or customary practices harmful to the health of women and girls in their reports to the Committee on the Elimination of Discrimination against Women and to the Committee on the Rights of the Child;

(*d*) To intensify efforts to raise awareness of and to mobilize international and national public opinion concerning the harmful effects of female genital mutilation and other traditional or customary practices affecting the health of women and girls, in particular through education, the dissemination of information and training, with the aim of achieving the total elimination of these practices;

(*e*) To develop and implement national legislation and policies prohibiting traditional or customary practices harmful to the health of women and girls, particularly female genital mutilation;

(*f*) To support women's organizations, at the national and local levels, working for the elimination of female genital mutilation and other traditional or customary practices harmful to the health of women and girls;

(*g*) To cooperate closely with the Special Rapporteur of the Subcommission on Prevention of Discrimination and Protection of Minorities on traditional practices affecting the health of women and children and to submit information on such practices with a view to enabling her to assess the progress achieved and obstacles encountered in implementing the Plan of Action for the Elimination of Harmful Traditional Practices Affecting the Health of Women and Children;

(*h*) To cooperate closely with relevant United Nations funds, programmes and the specialized agencies, such as the World Health Organization, the United Nations Children's Fund, the United Nations Population Fund, the United Nations Educational, Scientific and Cultural Organization and the Office of the United Nations High Commissioner for Human Rights, as well as with relevant non-governmental and community organizations, in a joint effort to eradicate harmful traditional or customary practices affecting women and girls;

4. *Decides*:

(*a*) To invite the Commission on Human Rights to address this issue at its fifty-fourth session;

(*b*) To request the Secretary-General to make the outcome of the discussions in the Commission on the Status of Women on this issue available to the Commission on Human Rights at its fifty-fourth session, if necessary, in the form of an oral report;

(*c*) To also request the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

70th plenary meeting
12 December 1997

52/100. Follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and the Platform for Action

The General Assembly,

Recalling its resolutions 50/42 of 8 December 1995, 50/203 of 22 December 1995 and 51/69 of 12 December 1996,

Taking note of Economic and Social Council resolutions 1996/6 of 22 July 1996 on the follow-up to the Fourth World Conference on Women and 1996/34 of 25 July 1996 on the system-wide medium-term plan for the advancement of women, 1996-2001, as well as the Council's agreed conclusions 1997/2 on mainstreaming a gender perspective into all policies and programmes in the United Nations system,[130]

Reaffirming that the implementation of the Platform for Action of the Fourth World Conference on Women[131] will require immediate and concerted action by all to create a peaceful, just and humane world based on all human rights and fundamental freedoms, including the principle of equality for all people of all ages and from all walks of life, and, to that end, recognizing that broad-based and sustained economic growth in the context of sustainable development is necessary to sustain social development and social justice,

Deeply convinced that the Beijing Declaration[132] and the Platform for Action adopted at the Fourth World Conference on Women are important contributions to the advancement of women worldwide and must be translated into effective action by all States, the United Nations system and other organizations concerned, as well as by non-governmental organizations,

Recognizing that the implementation of the Platform for Action rests primarily at the national level, that Governments, non-governmental organizations and public and private institutions should be involved in the implementation process and that national mechanisms also have an important role to play, and bearing in mind the fact that promotion of international cooperation is essential for the effective implementation of the Beijing Declaration and the Platform for Action,

Reaffirming its decision that the General Assembly, the Economic and Social Council and the Commission on the Status of Women, in accordance with their respective mandates and with its resolution 48/162 of 20 December 1993 and other relevant resolutions, constitute a three-tiered intergovernmental mechanism that plays the primary role in the overall policy-making and follow-up and in coordinating the implementation and monitoring of the Platform for Action, and reaffirming the need for a coordinated follow-up to and implementation of the results of major international conferences in the economic, social and related fields,

Reaffirming that the Commission on the Status of Women has a central role as a functional commission assisting the Economic and Social Council in the monitoring, within the United Nations system, of the implementation of the Platform for Action and in advising the Council thereon and should therefore be strengthened,

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[130] See A/52/3, chap. IV, sect. A. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 3*.

[131] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), resolution 1, annex II.

[132] Ibid., annex I.

Reaffirming also that the Economic and Social Council should continue to oversee system-wide coordination on the basis of an integrated approach in the implementation of the Platform for Action, including the mainstreaming of a gender perspective, and should ensure overall coordination of the follow-up to and implementation of the results of all United Nations international conferences in the economic, social and related fields and report thereon to the General Assembly,

1. *Takes note with appreciation* of the report of the Secretary-General on the implementation of the outcome of the Fourth World Conference on Women;[133]

2. *Welcomes* the initiatives and actions taken by Governments, the United Nations system and other international organizations, including their secretariats, as well as by non-governmental organizations and other actors of civil society, towards the implementation of the Beijing Declaration and the Platform for Action adopted by the Conference;

3. *Stresses* that Governments have the primary responsibility for implementing the Platform for Action, and reaffirms that Governments should continue to commit themselves at the highest political level to its implementation and should take a leading role in coordinating, monitoring and assessing progress in the advancement of women;

4. *Calls once again upon* States, the United Nations system and all other actors to implement the Platform for Action, in particular by promoting an active and visible policy of mainstreaming a gender perspective at all levels, including in the design, monitoring and evaluation of all policies and programmes to ensure effective implementation of all critical areas of concern in the Platform for Action;

5. *Calls for* intensified efforts at the international level to integrate the equal status and all human rights of women into the mainstream of United Nations system-wide activity and to address those issues regularly and systematically throughout the relevant United Nations bodies and mechanisms;

6. *Draws attention* to the need to give due consideration to the human rights of women and the girl child in the preparations for the five-year review of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[134] and the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights;[135]

7. *Welcomes* the adoption, by the Economic and Social Council, of agreed conclusions 1997/2 on mainstreaming a gender perspective into all policies and programmes in the United Nations system,[130] to serve as a comprehensive basis for concrete steps to achieve measurable progress in gender mainstreaming at all levels and in all areas, and endorses the definition, set of principles and specific recommendations for gender mainstreaming contained therein;

8. *Welcomes also* the steps already taken by the Secretary-General to draw the attention of all senior managers in the United Nations system to agreed conclusions 1997/2 of the Economic and Social Council and to the need to ensure full accountability for their implementation, urges the Secretary-General to continue his efforts to ensure that managers are held accountable for gender mainstreaming in their areas of responsibility, and requests the Secretary-General and his senior managers to ensure, *inter alia*, in the work of the executive committees, that gender mainstreaming is systematically integrated in the reform process of the United Nations;

9. *Reiterates* that gender mainstreaming as a strategy for achieving gender equality must become an integral part of all policies and programmes in the United Nations system and of national activities to follow-up and implement the Platform for Action and the outcomes of other recent United Nations conferences;

10. *Directs* all of its committees and bodies, and draws the attention of other bodies of the United Nations system to the need to mainstream a gender perspective systematically into all areas of their work, in particular in such areas as macroeconomic questions, operational activities for development, poverty eradication, human rights, humanitarian assistance, budgeting, disarmament, peace and security and legal and political matters;

11. *Requests* all bodies that deal with programme and budgetary matters, including the Committee for Programme and Coordination, to ensure that all programmes, medium-term plans and programme budgets visibly mainstream a gender perspective;

12. *Invites* other intergovernmental bodies, such as the governing bodies of the United Nations funds and programmes, to monitor the way in which the concerned agencies, funds and programmes implement gender mainstreaming in their respective medium-term plans and programme budgets, including at the field level;

13. *Reiterates* the Council's request to the Secretariat to present issues and approaches in a gender-sensitive manner when preparing reports, so as to provide the intergovernmental machinery with an analytical basis for gender-responsive policy formulation;

14. *Emphasizes* that the role of gender focal points as catalysts for gender mainstreaming and in providing advice, guidance and assistance in monitoring of progress needs to be strengthened, including through adequate resources and through support at the most senior levels of management and decision-making;

15. *Requests* the Economic and Social Council to ensure that gender mainstreaming is an integral part of all its

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[133] A/52/281.

[134] A/CONF.157/24 (Part I), chap. III.

[135] Resolution 217 A (III).

activities concerning integrated follow-up to recent United Nations conferences, building upon its agreed conclusions 1997/2;

16. *Urges* Governments that have not yet done so to establish or strengthen appropriate national machineries for the advancement of women at the highest political level, appropriate intra- and inter-ministerial procedures and staffing and other institutions with the mandate and capacity to broaden women's participation and integrate gender analysis into policies and programmes;

17. *Notes with appreciation* that many Governments have developed national strategies and action plans, some of them in consultation with non-governmental organizations, and urges those Governments that have not yet done so to prepare national action plans as strategic planning instruments, and to do so in consultation with non-governmental organizations, in full implementation of the Platform for Action, and to participate in the discussion by the Commission on the Status of Women in 1998 of a synthesis of national action plans as a first step in the comprehensive review and appraisal of the implementation of the Platform for Action;

18. *Encourages* non-governmental organizations, including women's organizations, to contribute to the design and implementation of these strategies or national plans of action in addition to their own programmes that complement government efforts;

19. *Calls upon* Governments to invite and encourage the active support and participation of all women and men and a broad and diverse range of institutional actors, including legislative bodies, academic and research institutions, professional associations, trade unions, local community groups and the media, as well as financial and non-profit organizations, in the implementation of the Platform for Action, while emphasizing the principle of shared responsibility between women and men for the achievement of gender equality;

20. *Recognizes* the importance attached to the regional and subregional monitoring of the global and regional platforms for action by regional commissions and other subregional or regional structures, within their mandates, in consultation with Governments, as well as the necessity of promoting cooperation among Governments of the same region in that respect;

21. *Calls upon* States to take action to fulfil the commitments for the advancement of women and for the strengthening of international cooperation made at the Fourth World Conference on Women, and reaffirms that adequate financial resources should be committed at the international level for the implementation of the Platform for Action in developing countries, in particular those in Africa and the least developed countries;

22. *Invites* the Secretary-General, in the implementation of the United Nations System-wide Special Initiative for Africa, to pay special attention to the needs and role of women as actors and beneficiaries in the development process;

23. *Recognizes* that implementation of the Platform for Action in the countries with economies in transition requires continued international cooperation and assistance, as indicated in the Platform for Action;

24. *Reaffirms* that, in order to implement the Platform for Action, a reformulation of policies and reallocation of resources may be needed, but that some policy changes may not necessarily have financial implications;

25. *Also reaffirms* that, in order to implement the Platform for Action, adequate mobilization of resources at the national and international levels, as well as new and additional resources to the developing countries, in particular those in Africa and the least developed countries, from all available funding mechanisms, including multilateral, bilateral and private sources for the advancement of women, will also be required;

26. *Calls upon* Member States to allocate sufficient resources for undertaking gender impact analyses in order to develop successful national implementation strategies for the Platform for Action;

27. *Recognizes* that the creation of an enabling environment at the national and international levels is necessary to ensure the full participation of women in economic activities, and calls upon States to remove obstacles for the full implementation of the Beijing Declaration and the Platform for Action;

28. *Requests* Governments and the international community to implement specific programmes for the eradication of poverty and illiteracy, ensuring women's equal access to education, training, credit, employment and the promotion of entrepreneurial activities, and strongly urges the international community to support national efforts towards the advancement of women in developing countries, particularly those in Africa and the least developed countries;

29. *Stresses* that full and effective implementation of the Platform for Action will require a political commitment to make available human and financial resources for the empowerment of women, the integration of a gender perspective in budgetary decisions on policies and programmes and adequate financing of specific programmes for securing equality between women and men;

30. *Calls upon* Member States to commit themselves to achieving gender balance by, *inter alia*, aiming at gender balance in the composition of delegations to the United Nations and other international forums and by presenting, promoting and appointing women candidates in all government-appointed committees, boards and other relevant official bodies, as well as in all international bodies, institutions and organizations;

31. *Requests* the Secretary-General, in his capacity as Chairman of the Administrative Committee on Coordination, to formulate a new system-wide medium-term plan for the advancement of women to cover the period 2002-2005, to submit a new draft plan to the Economic and Social Council at

its substantive session of 2000, taking into consideration the results of the Council's 1998 comprehensive mid-term review of the plan covering the period 1996-2001, in order to provide guidance for the medium-term plans of the individual organizations and bodies of the United Nations system, and to submit the draft plan to the Commission on the Status of Women at its forty-fourth session for comments;

32. *Invites* the Economic and Social Council to devote one high-level segment and one operational segment to the advancement of women and the implementation of the Platform for Action, taking into account the multi-year programme of work of the Commission on the Status of Women and all other functional commissions of the Council and the need for a system-wide approach to the implementation of the Platform for Action;

33. *Welcomes* the Council's decision to monitor annually, under an item entitled "Integrated and coordinated implementation and follow-up of the major United Nations conferences and summits", the way in which its functional commissions and subsidiary bodies mainstream a gender perspective, on the basis of the annual report on the follow-up to the Fourth World Conference on Women, and once again invites all functional commissions of the Economic and Social Council, within their mandates, to take due account of the Platform for Action and to ensure the integration of gender aspects in their respective areas of work;

34. *Reiterates* its request to the Secretary-General to ensure that the Division for the Advancement of Women of the Secretariat can effectively carry out all the tasks foreseen for it in the Platform for Action by, *inter alia*, providing sufficient human and financial resources within the regular budget of the United Nations and to ensure that the Division can play a catalytic role in support of gender mainstreaming in the new Department of Economic and Social Affairs of the Secretariat and through policy advisory services at the request of Governments, in cooperation with other bodies of the United Nations system;

35. *Requests* the Secretary-General to ensure that resident coordinators, in the execution of their mandates, fully incorporate a gender perspective, in particular into the coordinated follow-up to recent global United Nations conferences, fully utilizing all the expertise available in the United Nations Development Fund for Women, the International Research and Training Institute for the Advancement of Women and other organizations of the United Nations system;

36. *Notes* the importance of the activities undertaken by the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women in the implementation of the Platform for Action, and encourages the strengthening of their cooperation and coordination within their respective mandates;

37. *Encourages* the Division for the Advancement of Women, acting as the secretariat of the Commission on the Status of Women, to play an especially active role in generating new ideas, proposing practical suggestions and promoting constructive implementation of the Platform for Action, including gender mainstreaming;

38. *Welcomes* the growing number of ratifications to the Convention on the Elimination of All Forms of Discrimination against Women[136] and the withdrawal of reservations, invites States parties to include information on measures taken to implement the Platform for Action in their reports, and encourages the Division for the Advancement of Women to provide to Governments, at their request, advice on reporting under the Convention;

39. *Urges* States to limit the extent of any reservations they lodge to the Convention, to formulate any such reservations as precisely and as narrowly as possible, to ensure that no reservations are incompatible with the object and purpose of the Convention or otherwise incompatible with international treaty law, to review their reservations regularly with a view to withdrawing them and to withdraw reservations that are contrary to the object and purpose of the Convention or that are otherwise incompatible with international treaty law;

40. *Welcomes* the progress made by the Inter-Agency Committee on Women and Gender Equality in strengthening system-wide coordination for implementation of the Platform for Action and gender mainstreaming, and encourages the Committee to continue its cooperation with Administrative Committee on Coordination bodies to develop strategies, tools and methodologies, such as gender-sensitive budgeting, to enhance implementation of the Platform for Action and for gender mainstreaming, in particular at the field level;

41. *Notes with appreciation* the work done by the Division for the Advancement of Women and by the Special Adviser on Gender Issues and the Advancement of Women, *inter alia*, in her role as the Chairperson of the Inter-Agency Committee on Women and Gender Equality, for the system-wide implementation of the Platform for Action, for increased system-wide attention to gender mainstreaming and towards the achievement of gender balance in the Secretariat and system-wide, and, in that regard, stresses the importance of increasing human and financial resources from all available funding sources;

42. *Encourages* international financial institutions to review and revise policies, procedures and staffing to ensure that investments and programmes benefit women;

43. *Invites* the World Trade Organization to consider how it might contribute to the implementation of the Platform for Action, including activities in cooperation with the United Nations system;

44. *Decides* to appraise progress on an annual basis and to retain on the agenda of its forthcoming sessions the item entitled "Implementation of the outcome of the Fourth World Conference on Women";

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[136] Resolution 34/180, annex.

45. *Decides also* to convene, in the year 2000, a high-level plenary review to appraise and assess the progress achieved in the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women[137] and the Platform for Action, five years after its adoption, and to consider further actions and initiatives, and requests the Secretary-General, with a view to ensuring participation at a high political level, to explore, in a report to the General Assembly at its fifty-second session, the possibility, among other options, of convening the review (*a*) at the start of the fifty-fifth session of the General Assembly, (*b*) within the framework of the proposed millennium Assembly, if agreed upon by the General Assembly, (*c*) following the annual session of the Commission on the Status of Women or (*d*) as a special session of the General Assembly;

46. *Decides further* that the Commission on the Status of Women shall serve as the preparatory committee for the high-level review and as such will be open to the participation of all States Members of the United Nations, members of the specialized agencies and observers, in accordance with the established practice of the General Assembly, and invites the Commission to take appropriate action towards that end, including giving attention to appropriate arrangements for the involvement and participation of non-governmental organizations in the review;

47. *Requests* the Commission on the Status of Women to consider at its forty-second session the report of the Secretary-General requested in paragraph 45 above, thus enabling the General Assembly, through the Economic and Social Council, to decide on this issue, as soon as possible, at its fifty-second session;

48. *Requests* the Secretary-General to report annually to the General Assembly, the Commission on the Status of Women and the Economic and Social Council on follow-up to and implementation of the Beijing Declaration and the Platform for Action.

70th plenary meeting
12 December 1997

52/101. Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling its resolution 51/71 of 12 December 1996,

Having considered the report of the Secretary-General[138] and that of the United Nations High Commissioner for Refugees,[139]

Noting with appreciation the efforts expended by countries of asylum in accommodating refugees,

Convinced of the necessity of strengthening the capacity within the United Nations system for the implementation of relief programmes for refugees, returnees and displaced persons,

Welcoming the ongoing process of voluntary repatriation of refugees in some parts of Africa,

Welcoming also decision CM/Dec.362 (LXVI) on the situation of refugees, returnees and displaced persons in Africa, adopted by the Council of Ministers of the Organization of African Unity at its sixty-sixth ordinary session, held at Harare from 28 to 31 May 1997,[140]

Welcoming further the outcome of the ministerial meeting of the Security Council on the situation in Africa, held on 25 September 1997,[141] and the attention that was given at that meeting to the issue of refugees, returnees and displaced persons in Africa,

Taking note of the memorandum of understanding signed by the Office of the United Nations High Commissioner for Refugees and the Southern African Development Community in July 1996 concerning refugees, returnees, displaced persons and undocumented migration in southern Africa,

Taking note also of the memorandum of understanding signed by the Office of the United Nations High Commissioner for Refugees and the Intergovernmental Authority on Development in June 1997 on refugees and returnee issues,

Recalling the provisions of its resolution 2312 (XXII) of 14 December 1967, by which it adopted the Declaration on Territorial Asylum,

Recalling also the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969[142] and the African Charter on Human and Peoples' Rights,[143]

Recognizing the need for States to create conditions conducive both to the prevention of flows of refugees and displaced persons and to solutions, especially voluntary repatriation,

Recognizing also the positive outcome of the conflict resolution efforts carried out in the subregion by the Economic Community of West African States, in creating a conducive environment for the voluntary repatriation of refugees and displaced persons,

Bearing in mind that the majority of refugees and displaced persons are women and children,

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[137] *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985* (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

[138] A/52/360.

[139] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 12* (A/52/12).

[140] See A/52/465, annex I.

[141] See S/PV.3819. For the final text, see *Official Records of the Security Council, Fifty-second Year*, 3819th meeting.

[142] United Nations, *Treaty Series*, vol. 1001, No. 14691.

[143] Ibid., vol. 1520, No. 26363.

Noting with great concern that, despite all the efforts deployed so far by the United Nations, the Organization of African Unity and others, the situation of refugees and displaced persons in Africa, especially in the West African and Great Lakes regions and in the Horn of Africa, remains precarious,

1. *Takes note* of the report of the Secretary-General[138] and that of the United Nations High Commissioner for Refugees;[139]

2. *Notes with concern* that the declining socio-economic situation, compounded by political instability, internal strife, human rights violations and natural disasters, such as drought, has led to increased numbers of refugees and displaced persons in some countries of Africa;

3. *Expresses deep concern* at the serious and far-reaching consequences of large numbers of refugees and displaced persons in the receiving countries and the implications for security, long-term socio-economic development and the environment;

4. *Expresses concern* at instances where the fundamental principle of asylum is jeopardized by the unlawful expulsion or refoulement or by threats to the life, physical security, integrity, dignity and well-being of refugees;

5. *Expresses its appreciation and strong support* for those African Governments and local populations that, in spite of the general deterioration of socio-economic and environmental conditions and over-stretched national resources, continue to accept the additional burden imposed upon them by increasing numbers of refugees and displaced persons, in compliance with the relevant principles of asylum;

6. *Commends* the Governments concerned for their sacrifices in providing assistance and protection to refugees, returnees and internally displaced persons and for their efforts to promote voluntary repatriation and other durable solutions;

7. *Expresses its gratitude* to the international community, and to the Office of the United Nations High Commissioner for Refugees in particular, for the humanitarian assistance it has continued to render to refugees and displaced persons and to the countries of asylum;

8. *Welcomes* the strengthening of cooperation between the Office of the High Commissioner and the Organization of African Unity at all levels, and urges the two organizations, in conjunction with United Nations agencies, intergovernmental and non-governmental organizations, the international community and the Governments concerned, to increase efforts aimed at facilitating voluntary repatriation in a dignified and orderly manner and at addressing the root causes of the refugee problem and working out modalities for a lasting solution;

9. *Reiterates* that the Plan of Action adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held at Bujumbura from 15 to 17 February 1995, as endorsed by the General Assembly in its resolution 50/149, continues to be a viable framework for the resolution of the refugee and humanitarian problems in that region;

10. *Calls upon* the Office of the High Commissioner and other concerned entities to intensify protection activities by, *inter alia*, supporting the efforts of African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles and providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees;

11. *Appeals* to Governments, the United Nations, intergovernmental and non-governmental organizations and the international community to create conditions to facilitate the voluntary return and the early rehabilitation and reintegration of refugees;

12. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden-sharing, to the third-country resettlement requests of African refugees;

13. *Commends* the Governments of the Great Lakes and West African regions and of the Horn of Africa and the Office of the High Commissioner for their initiatives to promote repatriation within the framework of tripartite agreements on voluntary repatriation of refugees in the regions;

14. *Encourages* the Office of the United Nations High Commissioner for Refugees to continue to cooperate with the Office of the United Nations High Commissioner for Human Rights, within their respective mandates, in the promotion and protection of human rights and fundamental freedoms in emergency humanitarian situations in Africa;

15. *Welcomes* the ongoing efforts undertaken by the Office of the United Nations High Commissioner for Refugees with host Governments, the United Nations, non-governmental organizations and the international community in concentrating on the environment and ecosystems of countries of asylum;

16. *Notes with satisfaction* the voluntary return of millions of refugees to their homelands following the successful repatriation and reintegration operations carried out by the Office of the High Commissioner, with the cooperation and collaboration of countries hosting refugees and countries of origin, and looks forward to other programmes to assist the voluntary repatriation of all refugees in Africa;

17. *Expresses its concern* about the long stay of refugees in certain African countries, and calls upon the Office of the High Commissioner to keep its programmes under review, in conformity with its mandate in the host countries, taking into account the increasing requirements there;

18. *Urges* the international community to continue to fund the general refugee programmes of the Office of the High Commissioner, taking into account the substantially increased needs of programmes in Africa;

19. *Calls upon* Governments, United Nations agencies, non-governmental organizations and the international community as a whole to strengthen the emergency response capacity of the United Nations system on the basis of the experience of the emergency in the Great Lakes region and to continue to provide needed resources and operational support to refugees and countries of asylum in Africa until a durable solution can be found;

20. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure in areas affected by refugees in countries of asylum;

21. *Requests* all Governments and intergovernmental and non-governmental organizations to pay particular attention to meeting the special needs of refugee women and children;

22. *Calls upon* the Secretary-General, the Office of the High Commissioner and intergovernmental, regional and non-governmental organizations to increase the capacity for coordination and delivery of humanitarian emergency assistance and disaster relief in general with States and others concerned in respect of asylum, relief, repatriation, rehabilitation and resettlement of refugees, returnees and displaced persons, including refugees in urban areas;

23. *Requests* the Secretary-General to submit a comprehensive and consolidated report on the situation of refugees, returnees and displaced persons in Africa to the General Assembly at its fifty-third session, taking fully into account the efforts expended by countries of asylum, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions" and to present an oral report to the Economic and Social Council at its substantive session of 1998.

70th plenary meeting
12 December 1997

52/102. Follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States

The General Assembly,

Recalling its resolutions 48/113 of 20 December 1993, 49/173 of 23 December 1994, 50/151 of 21 December 1995 and, in particular, 51/70 of 12 December 1996,

Having considered the report of the Secretary-General[144] and that of the United Nations High Commissioner for Refugees,[145]

Recognizing the acuteness of the migration and displacement problems in the countries of the Commonwealth of Independent States,

Noting with satisfaction the efforts of the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration in developing strategies and practical tools for more effective capacity-building and enhancing programmes to address the needs of various categories of concern to the countries of the Commonwealth of Independent States,

Convinced of the necessity for the further strengthening of practical measures towards the implementation of the Programme of Action adopted by the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States,[146]

Reaffirming the view of the Conference that the primary responsibility for tackling population displacement problems lies with the affected countries themselves and that these issues are to be regarded as national priorities, while at the same time recognizing the need for enhancing international support for the national efforts of the countries of the Commonwealth of Independent States aiming at the effective implementation of such responsibilities within the framework of the Programme of Action of the Conference,

Recalling that the protection and promotion of human rights and the strengthening of democratic institutions are essential to prevent mass population displacement,

Mindful of the fact that effective implementation of the recommendations contained in the Programme of Action of the Conference should be facilitated and can be ensured only through cooperation and coordinated activities undertaken in this respect by all interested States, intergovernmental and non-governmental organizations and other actors,

Noting and reaffirming the importance of the 1951 Convention[147] and the 1967 Protocol[148] relating to the Status of Refugees,

1. *Takes note* of the report of the Secretary-General[144] and that of the United Nations High Commissioner for Refugees;[145]

2. *Notes* the positive results achieved by the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe in the implementation of the Programme of Action adopted by the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of

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[144] A/52/274 and Corr.1.

[145] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 12* (A/52/12).

[146] A/51/341 and Corr.1, appendix.

[147] United Nations, *Treaty Series*, vol. 189, No. 2545.

[148] Ibid., vol. 606, No. 8791.

Independent States and Relevant Neighbouring States, and invites these organizations to continue to steer the ongoing and future activities relating to the follow-up to the Conference;

3. *Welcomes* the efforts of the Governments of those countries of the Commonwealth of Independent States that, in cooperation with the Office of the High Commissioner, the International Organization for Migration, the Organization for Security and Cooperation in Europe and the Council of Europe, have undertaken practical steps in the implementation of the Programme of Action;

4. *Invites* all countries that have not yet done so to accede to and implement fully the 1951 Convention and the 1967 Protocol relating to the Status of Refugees;

5. *Appreciates* the efforts made by the Office of the High Commissioner, the International Organization for Migration and the Organization for Security and Cooperation in Europe to support the implementation of the Programme of Action in the countries of the Commonwealth of Independent States, and underlines the necessity of an appropriate response by the international community to appeals for funds by the Office of the High Commissioner and the International Organization for Migration;

6. *Calls upon* States and interested international organizations, in a spirit of solidarity and burden-sharing, to provide appropriate forms and levels of support for the practical implementation of the Programme of Action;

7. *Invites* international financial and other institutions to contribute to the financing of projects and programmes within the framework of the implementation of the Programme of Action;

8. *Invites* the countries of the Commonwealth of Independent States to intensify bilateral and subregional cooperation in maintaining the balance of commitments and interests in the process leading up to the implementation of the Programme of Action;

9. *Calls upon* the Governments of the countries of the Commonwealth of Independent States to continue to strengthen their commitment to the principles underpinning the Programme of Action, in particular human rights and refugee protection principles, and to lend high-level political support to ensure progress in its implementation;

10. *Emphasizes* the necessity of fulfilling the recommendations of the Programme of Action relating to ensuring respect for human rights as an important factor in the management of migration flows, the consolidation of democracy, the rule of law and stability;

11. *Urges* the United Nations High Commissioner for Human Rights, in coordination with the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe, to take into account those elements of the Programme of Action that are relevant to her mandate;

12. *Encourages* the involvement of intergovernmental and non-governmental organizations in the follow-up to the Conference, and invites them to demonstrate stronger support for the process of the multinational constructive dialogue among a wide range of the countries concerned and further action with a view to the full implementation of the recommendations of the Conference;

13. *Calls upon* the Governments of the countries of the Commonwealth of Independent States as well as international organizations to strengthen further their cooperation with non-governmental organizations and to increase their involvement in the implementation of the outcome and the follow-up to the Conference;

14. *Requests* the Office of the United Nations High Commissioner for Refugees to enhance its relationship with other key international actors, such as the Council of Europe, the European Commission and other human rights, development and financial institutions, in order to better address the wide-ranging and complex issues in the Programme of Action;

15. *Recognizes* the importance of undertaking measures, on the basis of strict adherence to all of the principles of international law, including humanitarian law and international human rights standards, to prevent situations leading to new flows of refugees and displaced persons and other forms of involuntary displacement;

16. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on progress achieved in the implementation of the Programme of Action;

17. *Decides* to continue examination of this question at its fifty-third session.

70th plenary meeting
12 December 1997

52/103. Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of her Office[149] and the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its forty-eighth session,[150]

Recalling its resolution 51/75 of 12 December 1996,

Reaffirming the fundamental importance of the 1951 Convention[151] and the 1967 Protocol[152] relating to the Status of Refugees, in particular their implementation in a manner fully compatible with the object and purpose of those instruments, and noting with satisfaction that one hundred and thirty-five States are now parties to one or both instruments,

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[149] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 12* (A/52/12).

[150] Ibid., *Supplement No. 12A* (A/52/12/Add.1).

[151] United Nations, *Treaty Series*, vol. 189, No. 2545.

[152] Ibid., vol. 606, No. 8791.

Commending the High Commissioner and her staff for the competent, courageous and dedicated manner in which they discharge their responsibilities, paying tribute to those staff members whose lives have been endangered in the course of their duties, and deploring the deaths of staff members as a consequence of violent events in several countries around the world,

1. *Endorses* the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its forty-eighth session;[150]

2. *Strongly reaffirms* the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the United Nations High Commissioner for Refugees of providing international protection to refugees and seeking permanent solutions to the problem of refugees;

3. *Deplores* the immense human suffering and loss of life that have accompanied refugee flows and other forced displacements, in particular the numerous serious threats to the security or well-being of refugees, such as refoulement, unlawful expulsion, physical attacks and detention under unacceptable conditions, and calls upon States to take all measures necessary to ensure respect for the principles of refugee protection, including the humane treatment of asylum-seekers in accordance with internationally recognized human rights and humanitarian norms;

4. *Emphasizes* that refugee protection is primarily the responsibility of States, whose full and effective cooperation, action and political resolve are required to enable the Office of the High Commissioner to fulfil its mandated functions;

5. *Reaffirms* that everyone is entitled to the right to seek and enjoy in other countries asylum from persecution, and, as asylum is an indispensable instrument for the international protection of refugees, calls on all States to refrain from taking measures that jeopardize the institution of asylum, in particular by returning or expelling refugees or asylum-seekers contrary to international human rights and to humanitarian and refugee law;

6. *Stresses* the importance of international solidarity and burden-sharing in reinforcing the international protection of refugees, and urges all States and relevant non-governmental and other organizations, in conjunction with the Office of the High Commissioner, to cooperate in efforts to lighten the burden borne by States that have received large numbers of asylum-seekers and refugees;

7. *Condemns* all acts that pose a threat to the personal security of refugees and asylum-seekers, and calls upon States of refuge, in cooperation with international organizations where appropriate, to take all necessary measures to ensure that the civilian and humanitarian character of refugee camps and settlements is maintained, as well as to abstain from any activity likely to undermine this, *inter alia*, through effective measures to prevent the infiltration of armed elements, the identification and separation of any such armed elements from refugee populations, the settlement of refugees in secure locations and by affording to the Office of the High Commissioner and other appropriate humanitarian organizations prompt, unhindered and safe access to them;

8. *Calls upon* States and all concerned parties to refrain from any actions that prevent the staff of the Office of the High Commissioner and other humanitarian personnel from performing the functions required under their mandates or obstruct them in so doing, to take all possible measures to safeguard their physical security and property, to investigate fully any crime committed against them, to bring to justice persons responsible for such crimes and to facilitate the discharge of the mandated functions of the Office of the High Commissioner as well as of other humanitarian organizations;

9. *Urges* all States and relevant organizations to support the High Commissioner's search for durable solutions to refugee problems, including voluntary repatriation, integration in the country of asylum and resettlement in a third country, as appropriate, and welcomes in particular the ongoing efforts of her Office to pursue, wherever possible, opportunities to promote conditions conducive to the preferred solution of voluntary repatriation;

10. *Acknowledges* the desirability of comprehensive approaches by the international community to the problems of refugees and displaced persons, including addressing root causes, strengthening emergency preparedness and response, providing effective protection and achieving durable solutions;

11. *Recognizes* the value of comprehensive regional approaches in which the High Commissioner has played a significant part in both countries of origin and countries of asylum, and encourages States, in coordination and cooperation with each other and with international organizations, if applicable, to consider adopting protection-based comprehensive and regional approaches that conform fully with universally recognized standards and respond to particular regional initiatives, circumstances and protection needs;

12. *Reaffirms* that voluntary repatriation is the ideal solution to refugee problems, and calls upon countries of origin, countries of asylum, the Office of the High Commissioner and the international community as a whole to do everything possible to enable refugees to exercise their right to return home in safety and with dignity;

13. *Reiterates* the right of all persons to return to their country, and emphasizes in this regard the prime responsibility of countries of origin for establishing conditions that allow voluntary repatriation of refugees in safety and with dignity, and, in recognition of the obligation of all States to accept the return of their nationals, calls upon all States to facilitate the return of their nationals who have sought asylum and have been determined not to be refugees;

14. *Calls upon* all States to promote conditions conducive to the return of refugees and to support their

sustainable reintegration by providing countries of origin with necessary rehabilitation and development assistance in conjunction, as appropriate, with the Office of the High Commissioner and relevant development agencies, urges the Office of the High Commissioner, within its mandate and at the request of the Government concerned and in view of the relationship between safeguarding human rights and preventing conditions that give rise to refugee outflows, to strengthen its support of national efforts at legal and judicial capacity-building, where necessary, in cooperation with the United Nations High Commissioner for Human Rights, and, in view of creating conditions furthering reconciliation and long-term development in countries of return, also urges the Office of the High Commissioner to strengthen its cooperation and coordination with relevant development agencies;

15. *Calls upon* States to adopt an approach that is sensitive to gender-related concerns and to ensure that women whose claims to refugee status are based upon a well-founded fear of persecution for reasons enumerated in the 1951 Convention[151] and the 1967 Protocol[152] relating to the Status of Refugees, including persecution through sexual violence or other gender-related persecution, are recognized as refugees, and encourages the Office of the High Commissioner to continue and to strengthen its efforts for the protection of refugee women;

16. *Urges* States and relevant parties to respect and observe principles of international human rights, humanitarian and refugee law that are of particular relevance to safeguarding the rights of child and adolescent refugees, and, noting the particular vulnerability of refugee children to being forcibly exposed to the risks of injury, exploitation and death in connection with armed conflict, urges all States and concerned parties to take all possible measures to protect child and adolescent refugees, including, in particular, from all forms of violence, exploitation and abuse, and to prevent their separation from their families;

17. *Calls upon* all Governments and other donors to demonstrate their international solidarity and burden-sharing with countries of asylum through efforts aimed at continuing to alleviate the burden borne by States, in particular developing countries, countries in transition and countries with limited resources, that, due to their location, host large numbers of refugees and asylum-seekers, to contribute to the programmes of the Office of the High Commissioner and, taking into account the effects on countries of asylum of the increasing requirements of large refugee populations and the need to widen the donor base and to achieve greater burden-sharing among donors, to assist the High Commissioner in securing additional and timely income from traditional governmental sources, other Governments and the private sector in order to ensure that the needs of refugees, returnees and displaced persons of concern to the Office of the High Commissioner are fully met.

70th plenary meeting
12 December 1997

52/104. Continuation of the Office of the United Nations High Commissioner for Refugees

The General Assembly,

Recalling its resolution 47/104 of 16 December 1992, in which it decided to review, not later than at its fifty-second session, the arrangements for the Office of the United Nations High Commissioner for Refugees with a view to determining whether the Office should be continued beyond 31 December 1998,

Recognizing the need for concerted international action on behalf of refugees and displaced persons of concern to the United Nations High Commissioner for Refugees,

Considering the outstanding work that has been performed by the Office of the High Commissioner in providing international protection and material assistance to refugees and displaced persons as well as in promoting permanent solutions to their problems,

Noting with deep appreciation the effective manner in which the Office of the High Commissioner has been dealing with various essential humanitarian tasks entrusted to it,

1. *Decides* to continue the Office of the United Nations High Commissioner for Refugees for a further period of five years from 1 January 1999;

2. *Also decides* to review, not later than at its fifty-seventh session, the arrangements for the Office of the High Commissioner with a view to determining whether the Office should be continued beyond 31 December 2003.

70th plenary meeting
12 December 1997

52/105. Assistance to unaccompanied refugee minors

The General Assembly,

Recalling its resolutions 49/172 of 23 December 1994, 50/150 of 21 December 1995 and 51/73 of 12 December 1996,

Aware of the fact that the majority of refugees are children and women,

Bearing in mind that unaccompanied refugee minors are among the most vulnerable refugees and the most at risk of neglect, violence, forced military recruitment, sexual assault and other abuses and therefore require special assistance and care,

Mindful of the fact that the ultimate solution to the plight of unaccompanied minors is their return to and reunification with their families,

Noting the revised Guidelines on Refugee Children issued by the Office of the United Nations High Commissioner for Refugees in May 1994 and the development of an emergency kit to facilitate coordination and to enhance the quality of responses to the needs of unaccompanied minors by the Office of the High Commissioner, the United Nations Children's Fund and non-governmental organizations,

Noting with appreciation the efforts of the Office of the High Commissioner in the identification and tracing of unaccompanied refugee minors, and welcoming its efforts in reunifying family members of refugees,

Welcoming the efforts exerted by the United Nations High Commissioner for Refugees for the reunification of family members of refugees,

Noting the efforts of the High Commissioner to ensure the protection of and assistance to refugees, including children and unaccompanied minors, and noting that further efforts need to be exerted to this effect,

Recalling the provisions of the Convention on the Rights of the Child[153] and the 1951 Convention[154] and the 1967 Protocol[155] relating to the Status of Refugees,

1. *Takes note* of the report of the Secretary-General;[156]

2. *Expresses its deep concern* at the continued plight of unaccompanied refugee minors, and emphasizes once again the urgent need for their early identification and for timely, detailed and accurate information on their number and whereabouts;

3. *Expresses the hope once again* that adequate resources will be provided for programmes of identification and tracing of unaccompanied refugee minors;

4. *Calls upon* the Office of the United Nations High Commissioner for Refugees, in cooperation with other relevant United Nations bodies, to incorporate into its programmes policies that aim at preventing refugee family separation, considering the importance of family unity;

5. *Calls upon* all Governments, the Secretary-General, the Office of the High Commissioner, all United Nations organizations, other international organizations and non-governmental organizations concerned to exert the maximum effort to assist and protect refugee minors and to expedite the return to and reunification with their families of unaccompanied refugee minors;

6. *Urges* the Office of the High Commissioner, all United Nations organizations, other international organizations and non-governmental organizations concerned to take appropriate steps to mobilize resources commensurate with the needs and interests of unaccompanied refugee minors and towards their reunification with their families;

7. *Calls upon* all States and other parties to armed conflict to respect international humanitarian law, and, in this regard, calls upon States parties to respect fully the provisions of the Geneva Conventions of 12 August 1949[157] and related instruments, while bearing in mind resolution 2 adopted at the twenty-sixth International Conference of the Red Cross and Red Crescent, held at Geneva from 3 to 7 December 1995, and to respect the provisions of the Convention on the Rights of the Child,[153] which accord children affected by armed conflict special protection and treatment;

8. *Condemns* all acts of exploitation of unaccompanied refugee minors, including their use as soldiers or human shields in armed conflict and their forced recruitment into military forces, and any other acts that endanger their safety and personal security;

9. *Calls upon* the Secretary-General, the United Nations High Commissioner for Refugees, the Department of Humanitarian Affairs of the Secretariat, the United Nations Children's Fund and other United Nations organizations and international organizations to mobilize adequate assistance to unaccompanied refugee minors in the areas of relief, education, health and psychological rehabilitation;

10. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution and to give special attention to the girl-child refugee in his report.

70th plenary meeting
12 December 1997

52/106. The girl child

The General Assembly,

Recalling its resolutions 50/42 of 8 December 1995, 50/154 of 21 December 1995, 50/203 of 22 December 1995 and 51/76 of 12 December 1996,

Also recalling the Beijing Declaration and the Platform for Action of the Fourth World Conference on Women,[158] the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development,[159] the Programme of Action of the International Conference on Population and Development,[160] the Vienna Declaration and Programme of Action of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[161] the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s of the World Summit for Children, held in New York on 29 and 30 September 1990,[162] the World Declaration on Education for All and the Framework for Action to Meet Basic Learning Needs adopted at the World Conference on Education for All[163] and the Declaration and Agenda for Action of the World Congress against Commercial Sexual Exploitation of Children, held at Stockholm from 27 to 31 August 1996,[164]

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[153] Resolution 44/25, annex.

[154] United Nations, *Treaty Series*, vol. 189, No. 2545.

[155] Ibid., vol. 606, No. 8791.

[156] A/52/273.

[157] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[158] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[159] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[160] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[161] A/CONF.157/24 (Part I), chap. III.

Deeply concerned that girls, in particular adolescent girls, continue to be silent and invisible victims of violence, abuse and exploitation and that some legal systems do not adequately address the vulnerability of girls in the administration of justice, including the need for better protection of child victims and witnesses,

Recalling that in 1998 the fiftieth anniversary of the Universal Declaration of Human Rights[165] will be observed, the mid-term review of the implementation of the Programme of Action of the International Conference on Population and Development will be carried out and the Commission on the Status of Women will review, at its forty-second session, the implementation of the sections of the Platform for Action of the Fourth World Conference on Women on the girl child and the human rights of women,

Welcoming the appointment of the Special Representative of the Secretary-General on the impact of armed conflict on children, in accordance with section II of its resolution 51/77 of 12 December 1996,

Stressing that discrimination and neglect of the girl child can initiate a lifelong downward spiral of deprivation and exclusion from the social mainstream,

Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education, nutrition, physical and mental health care and in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys and often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices such as incest, early marriage, female infanticide, prenatal sex selection and female genital mutilation,

Deeply concerned also that, in situations of poverty, war and armed conflict, girl children are among the victims most affected and that thus their potential for full development is limited,

Concerned that the girl child has become a victim of the human immunodeficiency virus/acquired immunodeficiency syndrome and sexually transmitted diseases, which affect the quality of her life and leave her open to further discrimination,

Reaffirming the equal rights of women and men as enshrined, *inter alia*, in the preamble to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women[166] and the Convention on the Rights of the Child,[167]

1. *Stresses* the need for full and urgent implementation of the rights of the girl child as guaranteed to her under all human rights instruments, including the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women;

2. *Urges* all States to take all necessary measures and to institute legal reforms to ensure the full and equal enjoyment by the girl child of all human rights and fundamental freedoms and to take effective action against violations of those rights and freedoms;

3. *Also urges* all States to enact and enforce legislation protecting girls from all forms of violence, including female infanticide and prenatal sex selection, female genital mutilation, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, and to develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence;

4. *Calls upon* all States and international and non-governmental organizations, individually and collectively:

(*a*) To set goals and to develop and implement gender-sensitive strategies to address the rights and needs of children, in accordance with the Convention on the Rights of the Child, to take into account the rights and particular needs of the girl child, especially in education, health and nutrition, and to eliminate negative cultural attitudes and practices against the girl child;

(*b*) To take measures to ensure the non-discrimination and equal enjoyment of all human rights and fundamental freedoms of the girl child with disabilities;

(*c*) To generate social support for the enforcement of laws on the minimum legal age for marriage, in particular by providing educational opportunities for girls;

(*d*) To give attention to the rights and needs of adolescent girls, which call for special action for their protection from sexual and economic exploitation and abuse, harmful traditional and cultural practices, teenage pregnancy and vulnerability to the human immunodeficiency virus/acquired immunodeficiency syndrome and sexually transmitted diseases and for the development of life skills and self-esteem, reaffirming that the advancement and empowerment of women throughout the life cycle must begin with the girl child at all ages;

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[162] A/45/625, annex.

[163] *Final Report of the World Conference on Education for All: Meeting Basic Learning Needs, Jomtien, Thailand, 5-9 March 1990*, Inter-Agency Commission (UNDP, UNESCO, UNICEF, World Bank) for the World Conference on Education for All, New York, 1990, appendices I and II.

[164] A/51/385, annex.

[165] Resolution 217 A (III).

[166] Resolution 34/180, annex.

[167] Resolution 44/25, annex.

(*e*) To take measures to increase awareness of the potential of the girl child and to promote gender-sensitive socialization of boys and girls from early childhood, with the aim of achieving gender equality, development and peace within the family and the community;

(*f*) To ensure the equal participation of girls and young women on the basis of non-discrimination and as partners with boys and young men in social, economic and political life and in the development of strategies and the implementation of action aimed at achieving gender equality, development and peace;

(*g*) To strengthen and reorient health education and health services, in particular primary health-care programmes, including in sexual and reproductive health, and to design quality health programmes that meet the physical and mental needs of girls and attend to the needs of young expectant and nursing mothers;

5. *Urges* States to enact and strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage and to raise the minimum age for marriage where necessary;

6. *Also urges* States to eliminate all barriers so as to enable girls, without exception, to develop their full potential and skills through equal access to education and training;

7. *Encourages* States to consider ways and means to ensure the continuing education of married women, pregnant women and young mothers;

8. *Urges* States to take special measures for the protection of children, in particular to protect girls from rape and other forms of sexual abuse and gender-based violence in situations of armed conflict, paying special attention to refugee and displaced girls, in line with the recommendations of the expert appointed by the Secretary-General to study the impact of armed conflict on children,[168] and to take into account the special needs of the girl child in the delivery of humanitarian assistance;

9. *Urges* States parties to fulfil the obligations they have undertaken under the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women to protect women and girls from all forms of violence, including domestic violence, sexual trafficking and child prostitution;

10. *Urges* States to implement measures to protect women and girls from all forms of violence, in line with the recommendations of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences;[169]

11. *Requests* all States to implement, on an urgent basis, measures to protect children from all forms of sexual exploitation, including measures in line with those outlined in the Declaration and Agenda for Action of the World Congress against Commercial Sexual Exploitation of Children;[164]

12. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and the full respect for and enjoyment of the human rights of the girl child, *inter alia*, through the translation, production and dissemination of age-appropriate information materials on these rights to all sectors of society, in particular to children;

13. *Calls upon* Governments to encourage efforts by civil society and non-governmental organizations, including women's organizations, to establish community-based groups or local committees which could assist with the safety and welfare of children;

14. *Requests* the Secretary-General, as Chairman of the Administrative Committee on Coordination, to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Development Fund for Women, the World Health Organization, the United Nations High Commissioner for Human Rights, the United Nations Development Programme and the United Nations High Commissioner for Refugees, take into account the rights and the particular needs of the girl child, especially in education, health and nutrition, and eliminate negative cultural attitudes and practices against the girl child in the implementation of the outcomes of all recent global conferences, in particular the Platform for Action of the Fourth World Conference on Women, and of the system-wide medium-term plan for the advancement of women for the period 1996-2001;[170]

15. *Calls upon* the Commission on Human Rights, while considering, in accordance with agreed conclusions 1996/1 of 26 July 1996 of the Economic and Social Council,[171] its input to the Commission on the Status of Women on ensuring women's equal enjoyment of their human rights, in particular those relating to economic resources, to pay particular attention to all the human rights of the girl child;

16. *Requests* all human rights treaty bodies, special procedures and other human rights mechanisms of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities to regularly and systematically adopt a gender perspective in the implementation of their mandates and to include in their reports information on and qualitative analysis of violations of

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[168] See A/51/306 and Add.1.

[169] E/CN.4/1997/47 and Add.1 to 3.

[170] E/1993/43, annex.

[171] See A/51/3 (Part I), chap. III, sect. A. For the final text, see *Official Records of the General Assembly, Fifty-first Session, Supplement No. 3*.

human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

17. *Calls upon* States and international and non-governmental organizations to mobilize all necessary resources, support and efforts to realize the goals, strategic objectives and actions set out in the Platform for Action of the Fourth World Conference on Women;

18. *Calls upon* all States, all relevant organizations and bodies of the United Nations system and non-governmental organizations to implement commitments to goals and actions relating to the girl child and to report on initiatives and progress to the Commission on the Status of Women at its forty-second session, pursuant to the decision of the Commission to review, in 1998, the progress made in the implementation of the provisions of the Platform for Action of the Fourth World Conference on Women relating to the girl child.

70th plenary meeting
12 December 1997

52/107. The rights of the child

The General Assembly,

Recalling its resolutions 51/76 and 51/77 of 12 December 1996, 51/186 of 16 December 1996 and Commission on Human Rights resolution 1997/78 of 18 April 1997,[172]

Also recalling the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,[173] notably the solemn commitment to give high priority to the rights of children, to their survival and to their protection and development, and reaffirming the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[174] which, *inter alia*, states that national and international mechanisms and programmes for the defence and protection of children, in particular those in especially difficult circumstances, should be strengthened, including through effective measures to combat exploitation and abuse of children, such as female infanticide, harmful child labour, sale of children and organs, child prostitution and child pornography, as well as other forms of sexual abuse, and which reaffirms that all human rights and fundamental freedoms are universal,

Underlining the need for mainstreaming a gender perspective into all policies and programmes relating to children,

Profoundly concerned that the situation of children in many parts of the world remains critical as a result of inadequate social and economic conditions, poverty, natural disasters, armed conflicts, displacement, exploitation, racism and all forms of intolerance, unemployment, rural-to-urban migration, illiteracy, hunger, disability and drug abuse, and convinced that urgent and effective national and international action is called for,

Inviting Member States to promote the values of peace, understanding and dialogue in the education of children, as well as awareness of the urgent need to combat poverty, malnutrition and illiteracy worldwide,

Recognizing that legislation alone is not enough to prevent violations of the rights of the child, that stronger political commitment is needed and that Governments should implement their laws and complement legislative measures with effective action,

Recommending that, within their mandates, all relevant human rights mechanisms and all other relevant organs and mechanisms of the United Nations system and the supervisory bodies of the specialized agencies pay attention to particular situations in which children are in danger and where their rights are violated and that they take into account the work of the Committee on the Rights of the Child,

Stressing the need to strengthen partnerships between Governments, international organizations and all sectors of civil society, in particular non-governmental organizations, in order to achieve these objectives,

Reaffirming that the best interests of the child shall be a primary consideration in all actions concerning children,

I

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

1. *Welcomes* the unprecedented number of one hundred and ninety-one States that have ratified or acceded to the Convention on the Rights of the Child[175] as a universal commitment to the rights of the child;

2. *Once again urges* all States that have not yet done so to sign and ratify or accede to the Convention as a matter of priority, with a view to reaching the goal of universal adherence established by the World Summit for Children and reiterated in the Vienna Declaration and Programme for Action;

3. *Recognizes* the important role of the Committee on the Rights of the Child in creating awareness of the principles and provisions of the Convention and in providing recommendations to States parties on its implementation;

4. *Invites* the Committee to enhance further the constructive dialogue with the States parties to the Convention

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[172] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap II, sect. A.

[173] A/45/625, annex.

[174] A/CONF.157/24 (Part I), chap. III.

[175] Resolution 44/25, annex.

and the transparent and effective functioning of the Committee;

5. *Requests* the Secretary-General to ensure the provision of appropriate staff and facilities for the effective and expeditious performance of the functions of the Committee, and takes note of the Plan of Action of the United Nations High Commissioner for Human Rights to strengthen the implementation of the Convention;

6. *Calls upon* States parties to implement the Convention fully, to cooperate closely with the Committee and to comply in a timely manner with their reporting obligations under the Convention, in accordance with the guidelines elaborated by the Committee;

7. *Also calls upon* States parties to the Convention to withdraw reservations incompatible with the object and purpose of the Convention and to consider reviewing other reservations;

8. *Recalls* that the amendment to paragraph 2 of article 43 of the Convention, which would increase the membership of the Committee on the Rights of the Child from ten to eighteen experts, was adopted by the Conference of States Parties to the Convention on the Rights of the Child on 12 December 1995, that this amendment was approved by the General Assembly in its resolution 50/155 of 21 December 1995, and, therefore, calls upon States parties to the Convention to take appropriate measures so that acceptance of the amendment by a two-thirds majority of States parties may be reached as soon as possible in order that the amendment may enter into force;

9. *Calls upon* States parties to the Convention to ensure that the education of the child shall be carried out in accordance with article 29 of the Convention and that the education be directed, *inter alia*, towards the development of respect for human rights and fundamental freedoms, the Charter of the United Nations and for different cultures and towards the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, gender equality and friendship among peoples, ethnic, national and religious groups and persons of indigenous origin;

10. *Also calls upon* States parties to the Convention, in accordance with their obligation under article 42 of the Convention, to make the principles and provisions of the Convention widely known to adults and children alike, and further calls upon States parties to encourage training on the rights of the child for those involved in activities concerning children, for example through the programme of advisory services and technical cooperation in the field of human rights;

11. *Stresses* that the implementation of the Convention contributes to the achievement of the goals of the World Summit for Children, as emphasized in the report of the Secretary-General on the progress at mid-decade on implementation of General Assembly resolution 45/217 of 21 December 1990 on the World Summit for Children;[176]

12. *Encourages* the Committee, in monitoring the implementation of the Convention, to continue to pay attention to the needs of children in especially difficult circumstances;

II

CHILDREN WITH DISABILITIES

1. *Welcomes* the increased attention given by the Committee on the Rights of the Child to the equal enjoyment by children with disabilities of the rights of the child;

2. *Calls upon* all States to take all necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities and to develop and enforce legislation against discrimination against children with disabilities;

3. *Also calls upon* all States to promote a full and decent life for children with disabilities, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community;

4. *Emphasizes* the right to education as a human right, and calls upon States to make education accessible to children with special educational needs in a manner conducive to the child's achieving the fullest possible social integration and individual development and to adopt an integrated approach to providing adequate support and appropriate education for such children;

5. *Welcomes* the decision by the Economic and Social Council[177] to request the Special Rapporteur on Disability of the Commission for Social Development, in monitoring the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities,[178] to pay special attention to children with disabilities and the invitation to enhance the cooperation between the Special Rapporteur and the Committee on the Rights of the Child, and requests the United Nations High Commissioner for Human Rights and the United Nations Children's Fund to work closely with him;

6. *Calls upon* all States, in complying with their reporting obligations to the Committee under paragraph 1 of article 44 of the Convention on the Rights of the Child, to include, in accordance with the Committee's guidelines on the rights of the child,[179] information on the situation and the needs of children with disabilities, including disaggregated data, and on the measures taken to ensure to such children their enjoyment of the rights under the Convention;

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[176] A/51/256.

[177] E/1997/INF/3/Add.1, resolution 1997/20. For the final text, see *Official Records of the Economic and Social Council, 1997, Supplement No. 1* (E/1997/97).

[178] Resolution 48/96, annex.

[179] CRC/C/58.

III

PREVENTION AND ERADICATION OF THE SALE OF CHILDREN AND OF THEIR SEXUAL EXPLOITATION, INCLUDING CHILD PROSTITUTION AND CHILD PORNOGRAPHY

1. *Welcomes* the interim report of the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography,[180] and expresses its support for her work in examining, all over the world, the question of the sale of children, child prostitution and child pornography;

2. *Requests* the Secretary-General to provide the Special Rapporteur with all necessary human and financial assistance to make the full discharge of the mandate possible and to enable her to submit an interim report to the General Assembly at its fifty-third session and a report to the Commission on Human Rights at its fifty-fourth session;

3. *Supports* the work of the open-ended inter-sessional working group of the Commission on Human Rights on the elaboration of a draft optional protocol to the Convention on the Rights of the Child related to the sale of children, child prostitution and child pornography, and expresses the hope that it will make further progress prior to the fifty-fourth session of the Commission with a view to finalizing that work before the tenth anniversary of the Convention;

4. *Calls upon* all States parties to the Convention to fulfil their obligation under article 34 of the Convention, and also calls upon all States to support efforts in the context of the United Nations system aimed at adopting effective national, bilateral and multilateral measures for the prevention and eradication of the sale of children and of their sexual exploitation, including child prostitution and child pornography, in particular by criminalizing the sexual exploitation of children;

5. *Requests* all States to implement on an urgent basis measures to protect children from all forms of sexual exploitation and sexual abuse, including measures in line with those outlined in the Declaration and Agenda for Action of the World Congress against Commercial Sexual Exploitation of Children, held at Stockholm from 27 to 31 August 1996;[181]

6. *Calls upon* States to criminalize all forms of sexual exploitation of children, including commercial sexual exploitation, and to condemn and penalize all those offenders involved, whether local or foreign, while ensuring that children victims of this practice are not penalized;

7. *Also calls upon* States to review and revise, where appropriate, laws, policies, programmes and practices to eliminate all forms of sexual exploitation of children, including commercial sexual exploitation;

8. *Further calls upon* States to enforce relevant laws, policies and programmes to protect children from sexual exploitation, in particular by penalizing all those offenders involved, and to strengthen communication and cooperation between law enforcement authorities;

9. *Stresses* the need to combat the existence of a market that encourages such criminal practices against children;

10. *Urges* States, in cases of sex tourism, to develop or strengthen and implement laws to criminalize the acts of nationals of the countries of origin when committed against children in the countries of destination, to ensure that a person who exploits a child for sexual abuse purposes in another country is prosecuted by competent national authorities, either in the country of origin or in the country of destination, to strengthen laws and law enforcement, including confiscation and seizure of assets and profits and other sanctions, against those who commit sexual crimes against children in countries of destination and to share relevant data;

11. *Requests* States to step up cooperation and concerted action by all relevant law enforcement authorities and institutions with a view to dismantling national, regional and international networks in trafficking in children;

12. *Invites* States to allocate resources to provide comprehensive programmes designed to heal and to rehabilitate into society child victims of trafficking and sexual exploitation, including through job training, legal assistance and confidential health care, and to take all appropriate measures to promote their physical and psychological recovery and social reintegration;

IV

PROTECTION OF CHILDREN AFFECTED BY ARMED CONFLICT

1. *Expresses grave concern* at the numerous damaging effects of armed conflict on children, including the use of children as combatants in such situations, and emphasizes the need for the world community to focus increased attention on this serious problem with a view to bringing it to an end;

2. *Invites* all States to accede to relevant international human rights and humanitarian law instruments, and urges them to implement those instruments to which they are parties;

3. *Calls upon* all States and other parties to armed conflict to respect international humanitarian law, and, in this regard, calls upon States parties to respect fully the provisions of the Geneva Conventions of 12 August 1949[182] and the additional protocols thereto of 1977,[183] while bearing in mind resolution 2 of the twenty-sixth International Conference of the Red Cross and Red Crescent, held at Geneva from 3 to 7 December 1995, and to respect the provisions of the

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[180] A/52/482.

[181] A/51/385, annex.

[182] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[183] Ibid., vol. 1125, Nos. 17512 and 17513.

Convention on the Rights of the Child which accord children affected by armed conflict special protection and treatment;

4. *Calls upon* States and United Nations bodies and organizations to treat children during conflict and in post-conflict situations as a priority concern in human rights, humanitarian and development activities, including in field operations and country programmes, to enhance coordination and cooperation throughout the United Nations system and to ensure effective protection for children affected by armed conflict;

5. *Recommends* that the humanitarian concerns relating to children affected by armed conflict and their protection be fully reflected in United Nations field operations, which, *inter alia*, promote peace, prevent and resolve conflicts and implement peace agreements;

6. *Underlines* the importance that measures to ensure respect for the rights of the child, including in the areas of health and nutrition, formal, informal or non-formal education, physical and psychological recovery and social reintegration, be included within emergency and other humanitarian assistance policies and programmes;

7. *Stresses* the need for Governments and other parties to armed conflict to take measures, including the establishment, for example, of "days of tranquillity" and "corridors of peace", to ensure humanitarian access, the delivery of humanitarian relief and the provision of services, such as education and health, including immunization of children affected by armed conflict;

8. *Supports* the work of the open-ended inter-sessional working group of the Commission on Human Rights on a draft optional protocol to the Convention on the Rights of the Child related to the involvement of children in armed conflict, and expresses the hope that it will make further progress prior to the fifty-fourth session of the Commission with a view to finalizing this work;

9. *Urges* States and all other parties to armed conflict to adopt all necessary measures to end the use of children as soldiers and to ensure their demobilization and reintegration into society, including through adequate education and training, in a manner that fosters their self-respect and dignity, and invites the international community to assist in this endeavour;

10. *Welcomes* increased international efforts in various forums with respect to anti-personnel mines, recognizes the positive effect on children of those efforts, and, in this regard, takes due note of the conclusion of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction and its implementation by those States that become parties to it, as well as of the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-traps and Other Devices (Protocol II)[184] of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects;[185]

11. *Calls upon* all States and relevant United Nations bodies, including the United Nations Voluntary Trust Fund for Assistance in Mine Clearance, to contribute on an ongoing basis to international mine clearance efforts, and urges States to take further action to promote gender- and age-appropriate mine-awareness programmes and child-centred rehabilitation, thereby reducing the number and the plight of child victims;

12. *Reaffirms* that rape in the conduct of armed conflict constitutes a war crime and that under certain circumstances it constitutes a crime against humanity and an act of genocide, as defined in the Convention on the Prevention and Punishment of the Crime of Genocide,[186] and calls upon all States to take all measures required for the protection of women and children from all acts of gender-based violence, including rape, sexual exploitation and forced pregnancy, and to strengthen mechanisms to investigate and punish all those responsible and bring the perpetrators to justice;

13. *Urgently requests* that appropriate measures be taken by Member States and United Nations agencies, within the scope of their respective mandates, to ensure humanitarian access to children affected by armed conflict, to facilitate the extension of humanitarian assistance, including education, and to ensure the physical and psychological recovery and reintegration into society of child soldiers, victims of landmines and victims of gender-based violence;

14. *Recommends* that whenever sanctions are imposed their impact on children be assessed and monitored and that humanitarian exceptions be child-focused and formulated with clear application guidelines;

15. *Recalls* the importance of preventive measures such as early warning systems, preventive diplomacy and education for peace to prevent conflicts and their negative impact on the rights of the child, and urges Governments and the international community to promote sustainable human development;

16. *Calls upon* all States, in accordance with the norms of international humanitarian law, to integrate in their armed forces' training and education programmes, including those for peacekeeping, instruction on responsibilities towards the civilian population, in particular women and children;

17. *Welcomes* the appointment of Mr. Olara Otunnu as the Special Representative of the Secretary-General on the impact of armed conflict on children, in accordance with General Assembly resolution 51/77 of 12 December 1996;

18. *Invites* Governments, the specialized agencies, relevant United Nations bodies, notably the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for

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[184] See CCW/CONF. I/16 (Part I).

[185] See *The United Nations Disarmament Yearbook*, Vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

[186] Resolution 260 A (III).

Refugees, the United Nations Children's Fund and regional, intergovernmental and non-governmental organizations, as well as the Committee on the Rights of the Child, to cooperate with the Special Representative and to contribute to his work, including to his annual report;

19. *Recommends* that the Secretary-General ensure that the necessary support is made available to the Special Representative for the effective performance of his mandate, encourages the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees and the Office of the United Nations High Commissioner for Human Rights to provide support to the Special Representative, and calls upon States and other institutions to provide voluntary contributions for that purpose;

20. *Invites* Member States and relevant United Nations bodies and non-governmental organizations to consider how the subject of the impact of armed conflict on children can best be integrated into events designed to commemorate the tenth anniversary of the World Summit for Children and the entry into force of the Convention on the Rights of the Child;

V

REFUGEE AND INTERNALLY DISPLACED CHILDREN

1. *Urges* Governments to pay particular attention to the situation of refugee and internally displaced children by continuing to design and improve the implementation of policies for their care and well-being, with the necessary international cooperation, in particular with the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund and international humanitarian organizations;

2. *Calls upon* States and United Nations bodies, in recognizing the particular vulnerability of refugee and internally displaced children, to protect both their safety and their developmental needs, including health, education and psycho-social rehabilitation;

3. *Expresses its deep concern* about the growing number of unaccompanied refugee and internally displaced children, and calls upon all States and United Nations bodies and agencies to ensure the early identification and registration of unaccompanied refugee and internally displaced children, to give priority to programmes for family tracing and reunification and to continue monitoring the care arrangements for unaccompanied refugee and internally displaced children;

4. *Calls upon* all States and other parties to armed conflicts to recognize the particular vulnerability of refugee and internally displaced children to the damaging effects of such conflicts, stresses the special vulnerability of child-headed households, and calls upon Governments and United Nations bodies to give these situations urgent attention, to enhance protection and assistance mechanisms and to involve women and youth in the design, delivery and monitoring of measures taken to this effect;

5. *Invites* the representative of the Secretary-General on internally displaced persons to take into account the situation of internally displaced children in his preparation of guiding principles which are to form part of a comprehensive framework for the protection of internally displaced persons;

VI

ELIMINATION OF EXPLOITATION OF CHILD LABOUR

1. *Reaffirms* the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous to or interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development;

2. *Welcomes* the measures taken by Governments to eliminate the exploitation of child labour, while recalling the Programme of Action for the Elimination of the Exploitation of Child Labour,[187] and calls upon relevant United Nations agencies, in particular the United Nations Children's Fund and the International Labour Organization, to continue to support national efforts in this regard;

3. *Also welcomes* the recent holding of various international conferences on various forms of child labour;

4. *Further welcomes* the efforts by the Committee on the Rights of the Child in the area of child labour, takes note of its recommendations,[188] and encourages the Committee as well as other relevant human rights treaty bodies, within their respective mandates, to continue to monitor this growing problem when examining reports of States parties;

5. *Calls upon* all States to translate into concrete action their commitment to the progressive and effective elimination of all forms of exploitative child labour, and urges them, as a matter of priority, to eliminate all extreme forms of child labour, such as forced labour, bonded labour and other forms of slavery;

6. *Calls upon* all States that have not yet done so to consider ratifying the conventions of the International Labour Organization concerning the abolition of forced labour and the minimum age for employment, including for particularly hazardous work for children, and to implement those conventions;

7. *Calls upon* all States to support the negotiation, with a view to its early finalization, by the International Labour Organization of a future instrument aimed at eradicating the most intolerable forms of child labour;

8. *Also calls upon* all States to set specific target dates for eliminating all forms of child labour that are contrary to accepted international standards and for ensuring the full

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[187] *Official Records of the Economic and Social Council, 1993, Supplement No. 3* (E/1993/23), chap. II, sect. A, resolution 1993/79, annex.

[188] See *Official Records of the General Assembly, Fifty-first Session, Supplement No. 41* (A/51/41).

enforcement of relevant existing laws and, where appropriate, enacting legislation necessary to implement their obligations under the Convention on the Rights of the Child and International Labour Organization standards ensuring the protection of working children;

9. *Further calls upon* all States to recognize the right to education by making primary education compulsory and by ensuring that all children have access to free primary education as a key strategy in preventing child labour;

10. *Calls upon* all States to systematically assess and examine, in close cooperation with international organizations such as the International Labour Organization and the United Nations Children's Fund, the magnitude, nature and causes of the exploitation of child labour and to develop and implement strategies for combating these practices, with a specific emphasis on the situation of girls, their right to education and to access to schools on an equal basis with boys, in close cooperation with the United Nations Educational, Scientific and Cultural Organization;

11. *Calls upon* all States and the United Nations system to strengthen international cooperation as a means of assisting Governments in preventing or combating violations of the rights of the child, including the exploitation of child labour;

VII

THE PLIGHT OF CHILDREN LIVING AND/OR WORKING ON THE STREETS

1. *Expresses grave concern* about the large number of children living and/or working on the streets and at the continued growth in incidents and reports worldwide of such children being affected by serious crime, drug trafficking and abuse, violence and prostitution;

2. *Welcomes* the continuing efforts of Governments, the United Nations system and civil society to tackle this multifaceted problem;

3. *Calls upon* Governments to continue actively to seek comprehensive solutions for the problems of children living and/or working on the streets, including by helping to alleviate the poverty of such children, their families or guardians, by taking measures to ensure their reintegration into society and by providing, *inter alia*, adequate nutrition, shelter, health care and education, taking into account that such children are particularly vulnerable to all forms of violence, abuse, exploitation and neglect;

4. *Emphasizes* that the provisions of the Convention on the Rights of the Child and other relevant human rights instruments must constitute the standard in efforts to deal with this problem, and recommends that the Committee on the Rights of the Child and other relevant human rights treaty monitoring bodies continue to give attention to it when examining the reports of States parties;

5. *Strongly urges* all Governments to guarantee the respect for all human rights and fundamental freedoms, in particular the right to life, to take urgent measures to prevent the killing of children living and/or working on the streets, to combat torture and violence against them and to ensure strict compliance with the Convention and other relevant human rights instruments, including the requirement that legal and juridical processes respect the rights of the child;

6. *Calls upon* the international community to support, through effective international cooperation, the efforts of States to improve the situation of children living and/or working on the streets, and encourages States parties to the Convention, in preparing their reports to the Committee on the Rights of the Child, to take full account of the particular needs and rights of such children and to consider requesting technical advice and assistance for initiatives aimed at improving their situation;

VIII

Decides:

(*a*) To request the Secretary-General to submit a report on the rights of the child to the General Assembly at its fifty-third session containing information on the status of the Convention on the Rights of the Child and the problems addressed in the present resolution;

(*b*) To request the Special Representative of the Secretary-General on the impact of armed conflict on children to submit to the General Assembly and the Commission on Human Rights an annual report containing relevant information on the situation of children affected by armed conflict, bearing in mind existing mandates and reports of relevant bodies;

(*c*) To continue its consideration of this question at its fifty-third session under the item entitled "Promotion and protection of the rights of the child".

70th plenary meeting
12 December 1997

52/108. International Decade of the World's Indigenous People

The General Assembly,

Recalling its previous resolutions on the International Decade of the World's Indigenous People,

Recalling also that the goal of the Decade is to strengthen international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health and that the theme of the Decade is "Indigenous people: partnership in action",

Recognizing the importance of consultation and cooperation with indigenous people in planning and implementing the programme of activities for the International Decade of the World's Indigenous People,[189] the need for adequate financial support from the international community, including support from within the United Nations system, and the need for adequate coordination and communication channels,

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[189] Resolution 50/157, annex.

1. *Takes note* of the report of the Secretary-General on the implementation of the programme of activities for the International Decade of the World's Indigenous People;[190]

2. *Affirms its conviction* of the value and diversity of the cultures and forms of social organization of indigenous people and its conviction that the development of indigenous people within their countries will contribute to the socio-economic, cultural and environmental advancement of all the countries of the world;

3. *Emphasizes* the importance of strengthening the human and institutional capacity of indigenous people to develop their own solutions to their problems, recommends once again, for these purposes, that the United Nations University consider the possibility of sponsoring, in each region, one or more existing institutions of higher education as centres of excellence and the diffusion of expertise, *inter alia*, by conducting relevant studies, and invites the Commission on Human Rights to recommend appropriate means of implementation;

4. *Notes* that the programme of activities for the Decade may be reviewed and updated throughout the Decade and that, at the mid-point of the Decade, the Economic and Social Council and the General Assembly should review the results of the activities in order to identify obstacles to the achievement of the goals of the Decade and to recommend solutions for overcoming those obstacles;

5. *Decides* to appoint the United Nations High Commissioner for Human Rights as coordinator for the International Decade of the World's Indigenous People, and requests the High Commissioner, in that capacity:

(*a*) To promote the objectives of the Decade, taking into account, in the fulfilment of her functions, the special concerns of indigenous people;

(*b*) To consider organizing a workshop for research and higher education institutions, as outlined in Commission on Human Rights resolution 1997/32 of 11 April 1997,[191] focusing on indigenous issues, in consultation with indigenous people and the relevant United Nations bodies;

(*c*) To give due regard to the dissemination of information on the situation, cultures, languages, rights and aspirations of indigenous people;

(*d*) To submit, through the Secretary-General, an annual report to the General Assembly on the implementation of the programme of activities for the Decade;

6. *Reaffirms* the adoption of a declaration on the rights of indigenous people as a major objective of the Decade, and underlines the importance of effective participation by indigenous representatives in the open-ended inter-sessional working group of the Commission on Human Rights established pursuant to Commission on Human Rights resolution 1995/32 of 3 March 1995;[192]

7. *Also reaffirms*, among the objectives of the Decade listed in the programme of activities, the consideration of the establishment of a permanent forum for indigenous people within the United Nations system;

8. *Welcomes* the holding of the second workshop on the establishment of a permanent forum for indigenous people within the United Nations system at Santiago, from 30 June to 2 July 1997, takes note of the report thereon,[193] and recommends that the Commission on Human Rights at its fifty-fourth session take into account the outcome of the workshop and the comments received by the United Nations High Commissioner for Human Rights from Governments, the relevant United Nations bodies and organizations, the specialized agencies, non-governmental organizations and indigenous organizations in its further consideration of the possible establishment of a permanent forum for indigenous people within the United Nations system;

9. *Also welcomes* the holding of the workshop on traditional knowledge and biological diversity at Madrid, from 24 to 28 November 1997, convened to address the implementation of article 8 (*j*) of the Convention on Biological Diversity[194] with regard to the role of traditional knowledge, innovations and practices of indigenous and local communities in the sustainable use of biological diversity;

10. *Encourages* Governments to support the Decade by:

(*a*) Preparing relevant programmes, plans and reports in relation to the Decade, in consultation with indigenous people;

(*b*) Seeking means, in consultation with indigenous people, of giving indigenous people greater responsibility for their own affairs and an effective voice in decisions on matters that affect them;

(*c*) Establishing national committees or other mechanisms involving indigenous people to ensure that the objectives and activities of the Decade are planned and implemented on the basis of full partnership with indigenous people;

(*d*) Contributing to the United Nations Trust Fund for the International Decade for the World's Indigenous People;

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[190] A/52/509.

[191] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[192] Ibid., *1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[193] E/CN.4/SUB.2/AC.4/1997/CRP.1.

[194] See United Nations Environment Programme, *Convention on Biological Diversity* (Environmental Law and Institutions Programme Activity Centre), June 1992.

(*e*) Contributing, together with other donors, to the United Nations Voluntary Fund for Indigenous Populations in order to assist indigenous representatives in participating in the Working Group on Indigenous Populations of the Subcommission on Prevention of Discrimination and Protection of Minorities and the open-ended inter-sessional working group of the Commission on Human Rights charged with elaborating a draft declaration on the rights of indigenous people;

(*f*) Considering contributing, as appropriate, to the Fund for the Development of Indigenous Peoples in Latin America and the Caribbean, in support of the achievement of the goals of the Decade;

(*g*) Identifying resources for activities designed to implement the goals of the Decade, in cooperation with indigenous people and intergovernmental and non-governmental organizations;

11. *Invites* the United Nations financial and developmental institutions, operational programmes and the specialized agencies, in accordance with the existing procedures of their governing bodies:

(*a*) To give increased priority and resources to improving the conditions of indigenous people, with particular emphasis on the needs of those people in developing countries, including through the preparation of specific programmes of action for the implementation of the goals of the Decade, within their areas of competence;

(*b*) To launch special projects, through appropriate channels and in collaboration with indigenous people, to strengthen their community-level initiatives and to facilitate the exchange of information and expertise among indigenous people and other relevant experts;

(*c*) To designate focal points for coordination of activities related to the Decade with the Office of the United Nations High Commissioner for Human Rights;

12. *Recommends* that the Secretary-General ensure coordinated follow-up to the recommendations concerning indigenous people of relevant world conferences, namely, the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, the United Nations Conference on Environment and Development, held at Rio de Janeiro, Brazil, from 3 to 14 June 1992, the International Conference on Population and Development, held at Cairo from 5 to 13 September 1994, the Fourth World Conference on Women, held at Beijing from 4 to 15 September 1995, and the World Summit for Social Development, held at Copenhagen from 6 to 12 March 1995;

13. *Requests* the United Nations High Commissioner for Human Rights to submit, through the Secretary-General, a report on the implementation of the programme of activities of the Decade to the General Assembly at its fifty-third session;

14. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Programme of activities of the International Decade of the World's Indigenous People".

70th plenary meeting
12 December 1997

52/109. Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The General Assembly,

Recalling its resolution 51/79 of 12 December 1996, and taking note of Commission on Human Rights resolutions 1997/73 and 1997/74 of 18 April 1997,[195]

Bearing in mind the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, in particular the attention given in the Vienna Declaration and Programme of Action[196] to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

Aware that racism, as one of the exclusionist phenomena plaguing many societies, requires resolute action and cooperation for its eradication,

Having examined the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,[197] including its conclusions and recommendations,

Deeply concerned that, despite continued efforts, racism, racial discrimination, xenophobia and related intolerance, as well as acts of violence, persist and even grow in magnitude, incessantly adopting new forms, including tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity,

Deeply concerned also that those advocating racism and racial discrimination misuse new communication technologies, including the Internet, to disseminate their repugnant views,

Noting that the use of such technologies can contribute to combating racism, racial discrimination, xenophobia and related intolerance,

Conscious of the fundamental difference between, on the one hand, racism and racial discrimination as governmental policy or resulting from official doctrines of racial superiority or exclusivity and, on the other hand, other manifestations of racism, racial discrimination, xenophobia and related intolerance that are increasingly visible in segments of many societies and are perpetrated by individuals or groups, some of which manifestations are directed against migrant workers and members of their families,

Noting that the Committee on the Elimination of Racial Discrimination, in its general recommendation XV (42) of 17 March 1993[198] on article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination,[199] holds that the prohibition of the dissemination of ideas based on racial superiority or racial hatred is compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights[200] and in article 5 of the Convention,

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[195] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[196] A/CONF.157/24 (Part I), chap. III.

[197] See A/52/471.

[198] See *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 18* (A/48/18), chap. VIII, sect. B.

Conscious that impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and tends to encourage the recurrence of such crimes,

Emphasizing the importance of creating conditions that foster greater harmony and tolerance within societies,

1. *Takes note with appreciation* of the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance;[197]

2. *Requests* the Special Rapporteur to continue his exchange of views with Member States, relevant mechanisms, related United Nations organs and the specialized agencies in order to further their effectiveness and mutual cooperation;

3. *Welcomes* the recommendation of the Special Rapporteur to convene, without further delay, a world conference on racism, racial discrimination, xenophobia and related intolerance;

4. *Affirms* that acts of racist violence against others stemming from racism do not comprise expressions of opinion but rather offences;

5. *Expresses its profound concern about and unequivocal condemnation* of all forms of racism and racial discrimination, in particular all racist violence, and related acts of random and indiscriminate violence;

6. *Also expresses its profound concern about and unequivocal condemnation* of all forms of racism and racial discrimination, including propaganda, activities and organizations based on doctrines of superiority of one race or group of persons that attempt to justify or promote racism and racial discrimination in any form;

7. *Expresses its profound concern about and condemnation* of manifestations of racism, racial discrimination, xenophobia and related intolerance against migrant workers and members of their families, persons belonging to minorities and members of vulnerable groups in many societies;

8. *Encourages* all States to include in their educational curricula and social programmes at all levels, as appropriate, knowledge of, and tolerance and respect for, foreign cultures, peoples and countries;

9. *Recognizes* that the increasing gravity of different manifestations of racism, racial discrimination and xenophobia in various parts of the world requires a more integrated and effective approach on the part of the relevant mechanisms of United Nations human rights machinery;

10. *Encourages* Governments to take appropriate measures to eradicate all forms of racism, racial discrimination, xenophobia and related intolerance;

11. *Categorically deplores* the misuse of print, audio-visual and electronic media and new communication technologies, including the Internet, to incite violence motivated by racial hatred;

12. *Recognizes* that Governments should implement and enforce appropriate and effective legislation to prevent acts of racism, racial discrimination, xenophobia and related intolerance;

13. *Calls upon* all Governments and intergovernmental organizations, with the assistance of non-governmental organizations, as appropriate, to supply relevant information to the Special Rapporteur to enable him to fulfil his mandate;

14. *Commends* non-governmental organizations for the action that they have taken against racism and racial discrimination and for the continuous support and assistance that they have provided to the victims of racism and racial discrimination;

15. *Urges* all Governments to cooperate fully with the Special Rapporteur with a view to enabling him to fulfil his mandate;

16. *Requests* the Secretary-General to provide the Special Rapporteur with all the necessary human and financial assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit an interim report to the General Assembly at its fifty-third session.

70th plenary meeting
12 December 1997

52/110. Report of the Committee on the Elimination of Racial Discrimination

The General Assembly,

Recalling its previous resolutions concerning the reports of the Committee on the Elimination of Racial Discrimination and its resolutions on the status of the International Convention on the Elimination of All Forms of Racial Discrimination,[201] most recently resolution 51/80 of 12 December 1996,

Bearing in mind the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[202] in particular section II. B of the Declaration relating to equality, dignity and tolerance,

Reiterating the importance of the Convention, which is one of the most widely accepted human rights instruments adopted under the auspices of the United Nations, and mindful of the importance of the contributions of the Committee to the efforts of the United Nations to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin,

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[199] Resolution 2106 A (XX).

[200] Resolution 217 A (III).

[201] Resolution 2106 A (XX), annex.

[202] A/CONF.157/24 (Part I), chap. III.

Calling upon States which have not yet become parties to the Convention to ratify it or accede thereto,

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures in order to secure full implementation of the provisions of the Convention,

Recalling its resolution 47/111 of 16 December 1992, in which it welcomed the decision, taken on 15 January 1992 by the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination,[203] to amend paragraph 6 of article 8 of the Convention and to add a new paragraph, as paragraph 7 of article 8, with a view to providing for the financing of the Committee from the regular budget of the United Nations, and registering its concern that the amendment to the Convention has not yet entered into force,

Reiterating the importance of enabling the Committee to function smoothly and to have all necessary facilities for the effective performance of its functions under the Convention,

Recalling the provisions of paragraph 4 of article 10 of the Convention regarding the location of the meetings of the Committee,

I

REPORT OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

1. *Takes note with appreciation* of the report of the Committee on the Elimination of Racial Discrimination on its fiftieth and fifty-first sessions;[204]

2. *Commends* the Committee for its work with regard to the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[201] especially the examination of reports under article 9 and action on communications under article 14 of the Convention;

3. *Calls upon* States parties to fulfil their obligation, under paragraph 1 of article 9 of the Convention, to submit their periodic reports on measures taken to implement the Convention in due time;

4. *Commends* the Committee on its efforts to contribute to the effective implementation of international instruments on human rights, *inter alia*, by continuing to improve its working methods, which include the process of reviewing the implementation of the Convention in States whose reports are seriously overdue, and, in that regard, invites the Secretary-General to seek further ways to assist those States in fulfilling their reporting obligations;

5. *Commends* the Committee for its continuing contribution to the prevention of racial discrimination, including early warning measures and urgent procedures, and welcomes its relevant action thereon;

6. *Encourages* the Committee to continue to contribute fully to the implementation of the Third Decade to Combat Racism and Racial Discrimination and its revised Programme of Action,[205] including by continuing to collaborate with the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights, as well as by cooperating with the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance;

7. *Welcomes and encourages* the cooperation and exchange of information between the Committee and relevant structures and mechanisms of the United Nations, including the Office of the United Nations High Commissioner for Human Rights, as well as with the General Assembly and the States parties to the Convention;

II

FINANCIAL SITUATION OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

8. *Takes note* of the report of the Secretary-General on the financial status of the Committee on the Elimination of Racial Discrimination,[206]

9. *Expresses its profound concern* about the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination have still not fulfilled their financial obligations, as shown in the report of the Secretary-General, and strongly appeals to all States parties that are in arrears to fulfil their outstanding financial obligations under paragraph 6 of article 8 of the Convention;

10. *Strongly urges* States parties to the Convention to accelerate their domestic ratification procedures with regard to the amendment to the Convention concerning the financing of the Committee and to notify the Secretary-General expeditiously in writing of their agreement to the amendment, as decided upon at the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination on 15 January 1992,[203] endorsed by the General Assembly in its resolution 47/111 of 16 December 1992 and further reiterated at the Sixteenth Meeting of States Parties on 16 January 1996;

11. *Requests* the Secretary-General to continue to ensure adequate financial arrangements and appropriate means and to provide necessary support to ensure the functioning of

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[203] See CERD/SP/45, annex.

[204] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 18* (A/52/18).

[205] Resolution 49/146, annex.

[206] A/52/463.

the Committee and to enable it to cope with its increasing amount of work;

12. *Also requests* the Secretary-General to invite those States parties to the Convention that are in arrears to pay the amounts in arrears and to report thereon to the General Assembly at its fifty-third session;

13. *Decides* to consider the report of the Secretary-General on the financial situation of the Committee and the report of the Committee at its fifty-third session under the item entitled "Elimination of racism and racial discrimination".

70th plenary meeting
12 December 1997

52/111. Third Decade to Combat Racism and Racial Discrimination and the convening of a world conference against racism, racial discrimination, xenophobia and related intolerance

The General Assembly,

Reaffirming its objectives as set forth in the Charter of the United Nations of achieving international cooperation in solving problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming also its firm determination and its commitment to eradicate totally and unconditionally racism, in all its forms, and racial discrimination,

Recalling the Universal Declaration of Human Rights,[207] the International Convention on the Elimination of All Forms of Racial Discrimination[208] and the Convention against Discrimination in Education, adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960,[209]

Recalling also the outcome of the two World Conferences to Combat Racism and Racial Discrimination, held at Geneva in 1978[210] and in 1983,[211]

Welcoming the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and, in particular, the attention given in the Vienna Declaration and Programme of Action[212] to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

Stressing the importance and sensitivity of the activities of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Recalling its resolutions 48/91 of 20 December 1993 and 49/146 of 23 December 1994, by which, respectively, it proclaimed the Third Decade to Combat Racism and Racial Discrimination and adopted the revised Programme of Action for the Third Decade to Combat Racism and Racial Discrimination,

Noting with grave concern that, despite the efforts of the international community, the principal objectives of the two previous Decades for Action to Combat Racism and Racial Discrimination have not been attained and that millions of human beings continue to this day to be the victims of varied forms of racism and racial discrimination,

Noting with great concern that, despite the efforts undertaken by the international community at various levels, racism, racial discrimination, xenophobia and related forms of intolerance, ethnic antagonism and acts of violence are showing signs of increase,

Noting with concern that the dissemination of racist and xenophobic propaganda is also being channelled through new communication technologies, including such computer networks as the Internet,

Having considered the report submitted by the Secretary-General[213] within the framework of the implementation of the Programme of Action,

Firmly convinced of the need to take more effective and sustained measures at the national and international levels for the elimination of all forms of racism and racial discrimination,

Recognizing the importance of strengthening national legislation and institutions for the promotion of racial harmony,

Deeply concerned about the fact that the phenomenon of racism and racial discrimination against migrant workers continues to increase despite efforts undertaken by the international community to improve the protection of the human rights of migrant workers and members of their families,

Recalling the adoption at its forty-fifth session of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[214]

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[207] Resolution 217 A (III).

[208] Resolution 2106 A (XX), annex.

[209] United Nations, *Treaty Series*, vol. 429, No. 6193.

[210] See *Report of the World Conference to Combat Racism and Racial Discrimination, Geneva, 14-25 August 1978* (United Nations publication, Sales No.E.79.XIV.2).

[211] See *Report of the second World Conference to Combat Racism and Racial Discrimination, Geneva, 1-12 August 1983* (United Nations publication, Sales No.E.83.XIV.4 and corrigendum).

[212] A/CONF.157/24 (Part I), chap. III.

[213] A/52/528.

[214] Resolution 45/158, annex.

Acknowledging that indigenous people are at times victims of particular forms of racism and racial discrimination,

I

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION AND COORDINATION OF ACTIVITIES

1. *Declares once again* that all forms of racism and racial discrimination, whether in their institutionalized form or resulting from official doctrines of racial superiority or exclusivity, such as ethnic cleansing, are among the most serious violations of human rights in the contemporary world and must be combated by all available means;

2. *Recalls with satisfaction* the proclamation of the Third Decade to Combat Racism and Racial Discrimination, which began in 1993, and requests the Secretary-General to make a further review of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, with a view to making it more effective and action-oriented;

3. *Urges* all Governments to take all necessary measures to combat new forms of racism, in particular by constantly adapting the means provided to combat them, especially in the legislative, administrative, educational and information fields;

4. *Requests* the United Nations High Commissioner for Human Rights to give a high priority to the follow-up to programmes and activities for combating racism and racial discrimination;

5. *Requests* the Secretary-General to continue to accord special attention to the situation of migrant workers and members of their families and to include regularly in his reports all information on such workers;

6. *Calls upon* all Member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families as a matter of priority;

7. *Commends* all States that have ratified or acceded to the international instruments to combat racism and racial discrimination;

8. *Encourages* the mass media to promote ideas of tolerance and understanding among peoples and between different cultures;

9. *Affirms* its determination to combat violence stemming from intolerance on the basis of ethnicity, which it considers an issue of particular gravity;

10. *Requests* the Secretary-General to continue the study on the effects of racial discrimination on the children of minorities and those of migrant workers in the fields of education, training and employment and to submit, *inter alia*, specific recommendations for the implementation of measures to combat the effects of that discrimination;

11. *Regrets* the lack of interest, support and financial resources for the Third Decade and its related Programme of Action, reflected in the fact that very few of the activities planned for the period 1994-1997 were carried out;

12. *Also regrets* that the contributions made by the international community to the Trust Fund for the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination remain below the level required, and requests the Secretary-General to include in his report to the General Assembly at its fifty-third session concrete proposals on how to ensure the financial and personnel resources required for the implementation of the Programme of Action, including through the United Nations regular budget and extrabudgetary sources;

13. *Welcomes* the convening, at Geneva from 10 to 14 November 1997, of a seminar on the role of the Internet with regard to the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination;

14. *Requests* the Secretary-General to report to the Commission on Human Rights at its fifty-fourth session on the outcome of the two seminars held on the implementation of the Programme of Action concerning migration, racism and racial discrimination and on the role of the Internet with regard to the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination;

15. *Recommends* that the activities being organized to celebrate the fiftieth anniversary of the Universal Declaration of Human Rights include programmes targeted at combating racism and racial discrimination;

16. *Requests* the United Nations High Commissioner for Human Rights to take duly into account the repeated appeals of the General Assembly and the Economic and Social Council for the establishment of a mechanism for coordinating all the activities of the Third Decade;

17. *Considers* that voluntary contributions to the Trust Fund are indispensable for the implementation of the Programme of Action;

18. *Urges* the Secretary-General, United Nations bodies, the specialized agencies, all Governments, intergovernmental organizations and relevant non-governmental organizations, in implementing the Programme of Action, to pay particular attention to the situation of indigenous people;

19. *Requests* States and international organizations to consider the relevant decisions of the Economic and Social Council on the integrated follow-up to previous world conferences and the need to make optimum use of all available mechanisms in the struggle against racism;

20. *Strongly underlines* the importance of education as a significant means of preventing and eradicating racism and racial discrimination and of creating an awareness of principles of human rights, particularly among young people, and, in this regard, renews its invitation to the United Nations Educational, Scientific and Cultural Organization to expedite the

preparation of teaching materials and teaching aids to promote teaching, training and educational activities on human rights and against racism and racial discrimination, with particular emphasis on activities at the primary and secondary levels of education;

21. *Considers* that all parts of the Programme of Action should be given equal attention in order to attain the objectives of the Third Decade;

22. *Requests* the Secretary-General to ensure that the necessary financial resources are provided for the implementation of the activities of the Third Decade during the biennium 1998-1999;

23. *Also requests* the Secretary-General to accord high priority to the activities of the Programme of Action;

24. *Further requests* the Secretary-General to submit each year to the Economic and Social Council a detailed report on all activities of United Nations bodies and the specialized agencies, containing an analysis of information received on such activities to combat racism and racial discrimination;

25. *Invites* the Secretary-General to submit proposals to the General Assembly with a view to supplementing, if necessary, the Programme of Action;

26. *Invites* all Governments, United Nations bodies, the specialized agencies and other intergovernmental organizations, regional organizations and interested non-governmental organizations to participate fully in the Third Decade;

27. *Strongly appeals* to all Governments, intergovernmental and non-governmental organizations and individuals in a position to do so to contribute generously to the Trust Fund, and, to this end, requests the Secretary-General to continue to undertake appropriate contacts and initiatives to encourage contributions;

II

WORLD CONFERENCE AGAINST RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

28. *Decides* to convene a World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, whose main objectives will be:

(*a*) To review progress made in the fight against racism, racial discrimination, xenophobia and related intolerance, in particular since the adoption of the Universal Declaration of Human Rights, and to reappraise the obstacles to further progress in the field and ways to overcome them;

(*b*) To consider ways and means to better ensure the application of existing standards and the implementation of the existing instruments to combat racism, racial discrimination, xenophobia and related intolerance;

(*c*) To increase the level of awareness about the scourges of racism and racial discrimination, xenophobia and related intolerance;

(*d*) To formulate concrete recommendations on ways to increase the effectiveness of the activities and mechanisms of the United Nations through programmes aimed at combating racism, racial discrimination, xenophobia and related intolerance;

(*e*) To review the political, historical, economic, social, cultural and other factors leading to racism, racial discrimination, xenophobia and related intolerance;

(*f*) To formulate concrete recommendations to further action-oriented national, regional and international measures to combat all forms of racism, racial discrimination, xenophobia and related intolerance;

(*g*) To draw up concrete recommendations for ensuring that the United Nations has the financial and other necessary resources for its actions to combat racism, racial discrimination, xenophobia and related intolerance;

29. *Also decides*:

(*a*) That the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance will be convened not later than the year 2001;

(*b*) That, when the agenda of the World Conference is decided upon, *inter alia*, the need to address in a comprehensive manner all forms of racism, racial discrimination, xenophobia and related contemporary forms of intolerance will be taken into consideration;

(*c*) That the World Conference will be action-oriented and focus on practical measures to eradicate racism, including measures of prevention, education and protection and the provision of effective remedies, taking into full consideration the existing human rights instruments;

(*d*) That the Commission on Human Rights will act as the preparatory committee for the World Conference and that its deliberations should be open-ended, allowing for the full participation of all States Members of the United Nations, members of the specialized agencies and observers, in accordance with established practice;

30. *Requests* Governments, the specialized agencies, other international organizations, concerned United Nations bodies, regional organizations, non-governmental organizations, the Committee on the Elimination of Racial Discrimination, the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and other human rights mechanisms to assist the preparatory committee, to undertake reviews, to submit recommendations concerning the World Conference and the preparations therefor to the preparatory committee through the Secretary-General and to participate actively in the World Conference;

31. *Stresses* the importance of systematically taking a gender perspective into account throughout the preparations for and in the outcome of the World Conference;

32. *Calls upon* States and regional organizations to hold national or regional meetings or to take other initiatives in preparation for the World Conference, and requests the regional preparatory meetings to submit reports to the preparatory committee through the Secretary-General on the outcome of their deliberations, including practical and action-oriented recommendations to combat racism, racial discrimination, xenophobia and related intolerance;

33. *Decides* that the World Conference will be conducted effectively and efficiently and that its size, duration and other cost factors should be determined with due regard for economy;

34. *Also decides* to keep the item entitled "Elimination of racism and racial discrimination" on its agenda and to consider it as a matter of high priority at its fifty-third session.

70th plenary meeting
12 December 1997

52/112. Use of mercenaries as a means of violating human rights and impeding the exercise of the rights of peoples to self-determination

The General Assembly,

Recalling its resolutions 49/150 of 23 December 1994, 50/138 of 21 December 1995 and 51/83 of 12 December 1996,

Recalling also all of its relevant resolutions in which, *inter alia*, it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit and use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation movements, and recalling further the relevant resolutions of the Security Council, the Economic and Social Council and the Organization of African Unity,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, territorial integrity of States, the non-use of force or threat of use of force in international relations and self-determination of peoples,

Alarmed and concerned about the danger which the activities of mercenaries constitute to peace and security in developing countries, in particular in Africa and in small States, where democratically elected Governments have been overthrown by mercenaries or through mercenary international criminal activities,

Deeply concerned about the loss of life, the substantial damage to property and the negative effects on the polity and economies of affected countries resulting from mercenary aggression and criminal activities,

Convinced that it is necessary for Member States to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, adopted by the General Assembly in 1989,[215] and to develop and maintain international cooperation among States for the prevention, prosecution and punishment of mercenary activities,

Further convinced that, notwithstanding the way in which mercenaries or mercenary-related activities are used or the form they take to acquire some semblance of legitimacy, they are a threat to peace, security and the self-determination of peoples and an obstacle to the enjoyment of human rights by peoples,

1. *Takes note* of the report of the Special Rapporteur of the Commission on Human Rights on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination concerning the use of mercenaries and mercenary-related activities to topple sovereign Governments and to violate the human rights of peoples and impede the exercise of self-determination despite resolution 51/83;[216]

2. *Reaffirms* that the use of mercenaries and their recruitment, financing and training are causes for grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

3. *Urges* all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to take appropriate legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries for the planning of activities designed to destabilize or overthrow the Government or threaten the territorial integrity and political unity of sovereign States or to promote secession or to fight the national liberation movements struggling against colonial or other forms of alien domination or occupation;

4. *Calls upon* all States that have not yet done so to consider taking the necessary action to sign or to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;

5. *Urges* all States to cooperate fully with the Special Rapporteur in the fulfilment of his mandate;

6. *Requests* the Office of the United Nations High Commissioner for Human Rights, as a matter of priority, to publicize the adverse effects of mercenary activities on the right to self-determination and, when requested and where necessary, to render advisory services to States that are affected by the activities of mercenaries;

7. *Requests* the Secretary-General to invite Governments to make proposals towards a clearer legal definition of mercenaries;

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[215] Resolution 44/34, annex.

[216] See A/52/495.

8. *Requests* the Special Rapporteur to report his findings on the use of mercenaries to undermine the right of peoples to self-determination, with specific recommendations, to the General Assembly at its fifty-third session;

9. *Decides* to consider at its fifty-third session the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination under the item entitled "Rights of peoples to self-determination".

70th plenary meeting
12 December 1997

52/113. Universal realization of the right of peoples to self-determination

The General Assembly,

Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights,[217] as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

Deeply concerned at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already suppressed, the right to self-determination of an increasing number of sovereign peoples and nations,

Expressing grave concern that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military intervention, aggression and occupation adopted by the Commission on Human Rights at its thirty-sixth,[218] thirty-seventh,[219] thirty-eighth,[220] thirty-ninth,[221] fortieth,[222] forty-first,[223] forty-second,[224] forty-third,[225] forty-fourth,[226] forty-fifth,[227] forty-sixth,[228] forty-seventh,[229] forty-eighth,[230] forty-ninth,[231] fiftieth,[232] fifty-first,[233] fifty-second[234] and fifty-third[235] sessions,

Reaffirming its resolutions 35/35 B of 14 November 1980, 36/10 of 28 October 1981, 37/42 of 3 December 1982, 38/16 of 22 November 1983, 39/18 of 23 November 1984, 40/24 of 29 November 1985, 41/100 of 4 December 1986, 42/94 of 7 December 1987, 43/105 of 8 December 1988, 44/80 of 8 December 1989, 45/131 of 14 December 1990, 46/88 of 16 December 1991, 47/83 of 16 December 1992, 48/93 of 20 December 1993, 49/148 of 23 December 1994, 50/139 of 21 December 1995 and 51/84 of 12 December 1996,

Taking note of the report of the Secretary-General on the right of peoples to self-determination,[236]

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression,

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[217] Resolution 2200 A (XXI), annex.

[218] See *Official Records of the Economic and Social Council, 1980, Supplement No. 3* and corrigendum (E/1980/13 and Corr.1), chap. XXVI, sect. A.

[219] Ibid., *1981, Supplement No. 5* and corrigendum (E/1981/25 and Corr.1), chap. XXVIII, sect. A.

[220] Ibid., *1982, Supplement No. 2* and corrigendum (E/1982/12 and Corr.1), chap. XXVI, sect. A.

[221] Ibid., *1983, Supplement No. 3* and corrigendum (E/1983/13 and Corr.1), chap. XXVII, sect. A.

[222] Ibid., *1984, Supplement No. 4* and corrigendum (E/1984/14 and Corr.1), chap. II, sect. A.

[223] Ibid., *1985, Supplement No. 2* (E/1985/22), chap. II, sect. A.

[224] Ibid., *1986, Supplement No. 2* (E/1986/22), chap. II, sect. A.

[225] Ibid., *1987, Supplement No. 5* and corrigenda (E/1987/18 and Corr.1 and 2), chap. II, sect. A.

[226] Ibid., *1988, Supplement No. 2* and corrigendum (E/1988/12 and Corr.1), chap. II, sect. A.

[227] Ibid., *1989, Supplement No. 2* (E/1989/20), chap. II, sect. A.

[228] Ibid., *1990, Supplement No. 2* and corrigendum (E/1990/22 and Corr.1), chap. II, sect. A.

[229] Ibid., *1991, Supplement No. 2* (E/1991/22), chap. II, sect. A.

[230] Ibid., *1992, Supplement No. 2* (E/1992/22), chap. II, sect. A.

[231] Ibid., *1993, Supplement No. 3* (E/1993/23), chap. II, sect. A.

[232] Ibid., *1994, Supplement No. 4* and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

[233] Ibid., *1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[234] Ibid., *1996, Supplement No. 3* (E/1996/23), chap. II, sect. A.

[235] Ibid., *1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[236] A/52/485.

discrimination, exploitation and maltreatment, particularly the brutal and inhuman methods reportedly employed for the execution of those acts against the peoples concerned;

4. *Deplores* the plight of the millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and honour;

5. *Requests* the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on this question to the General Assembly at its fifty-third session under the item entitled "Right of peoples to self-determination".

70th plenary meeting
12 December 1997

52/114. The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in the Charter,

Recalling the International Covenants on Human Rights,[237] the Universal Declaration of Human Rights,[238] the Declaration on the Granting of Independence to Colonial Countries and Peoples[239] and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,[240]

Recalling also the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[241]

Expressing deep concern over the deterioration of the Middle East peace process, including the lack of implementation of the agreements signed between the Palestine Liberation Organization and the Government of Israel,

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination;

2. *Expresses the hope* that the Palestinian people will soon be exercising their right to self-determination in the current peace process;

3. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in their quest for self-determination.

70th plenary meeting
12 December 1997

52/115. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

The General Assembly,

Reaffirming once more the permanent validity of the principles and norms set forth in the basic instruments regarding the international protection of human rights, in particular the Universal Declaration of Human Rights,[242] the International Covenants on Human Rights,[243] the International Convention on the Elimination of All Forms of Racial Discrimination,[244] the Convention on the Elimination of All Forms of Discrimination against Women[245] and the Convention on the Rights of the Child,[246]

Bearing in mind the principles and norms established within the framework of the International Labour Organization and the importance of the work done in connection with migrant workers and members of their families in other specialized agencies and in various organs of the United Nations,

Reiterating that, despite the existence of an already established body of principles and norms, there is a need to make further efforts to improve the situation and to guarantee respect for the human rights and dignity of all migrant workers and members of their families,

Aware of the situation of migrant workers and members of their families and the marked increase in migratory movements that has occurred, especially in certain parts of the world,

Considering that, in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[247] all States are urged to guarantee the protection of the human rights of all migrant workers and members of their families,

Underlining the importance of the creation and promotion of conditions to foster greater harmony and tolerance between migrant workers and the rest of the society of the State in which they reside, with the aim of eliminating the growing manifestations of racism and xenophobia perpetrated in segments of many societies by individuals or groups against migrant workers,

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[237] Resolution 2200 A (XXI), annex.

[238] Resolution 217 A (III).

[239] Resolution 1514 (XV).

[240] A/CONF.157/24 (Part I), chap. III.

[241] See resolution 50/6.

[242] Resolution 217 A (III).

[243] Resolution 2200 A (XXI), annex.

[244] Resolution 2106 A (XX), annex.

[245] Resolution 34/180, annex.

[246] Resolution 44/25, annex.

[247] A/CONF.157/24 (Part I), chap. III.

Recalling its resolution 45/158 of 18 December 1990, by which it adopted and opened for signature, ratification and accession the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

Bearing in mind that, in the Vienna Declaration and Programme of Action, States are invited to consider the possibility of signing and ratifying the Convention at the earliest possible time,

Recalling that, in its resolution 51/85 of 12 December 1996, it requested the Secretary-General to submit to it at its fifty-second session a report on the status of the Convention,

1. *Expresses its deep concern* at the growing manifestations of racism, xenophobia and other forms of discrimination and inhuman or degrading treatment directed against migrant workers in different parts of the world;

2. *Welcomes* the signature or ratification of or accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families by some Member States;

3. *Calls upon* all Member States to consider signing and ratifying or acceding to the Convention as a matter of priority, and expresses the hope that it will enter into force at an early date;

4. *Requests* the Secretary-General to provide all the facilities and assistance necessary for the promotion of the Convention through the World Public Information Campaign on Human Rights and the programme of advisory services in the field of human rights;

5. *Invites* the organizations and agencies of the United Nations system and intergovernmental and non-governmental organizations to intensify their efforts with a view to disseminating information on and promoting understanding of the Convention;

6. *Takes note* of the report of the Secretary-General,[248] and requests him to submit an updated report on the status of the Convention to the Assembly at its fifty-third session;

7. *Decides* to consider the report of the Secretary-General at its fifty-third session under the sub-item entitled "Implementation of human rights instruments".

70th plenary meeting
12 December 1997

52/116. International Covenants on Human Rights

The General Assembly,

Recalling its resolution 50/171 of 22 December 1995, and taking note of Commission on Human Rights decision 1997/104 of 3 April 1997,[249]

Mindful that the International Covenants on Human Rights[250] constitute the first all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights,[251] form the core of the International Bill of Human Rights,

Taking note of the report of the Secretary-General[252] on the status of the International Covenant on Economic, Social and Cultural Rights,[250] the International Covenant on Civil and Political Rights[250] and the Optional Protocols to the International Covenant on Civil and Political Rights,[253]

Recalling the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, and reaffirming that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other rights,

Recognizing the important role of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in the implementation of the International Covenants on Human Rights and the Optional Protocols to the International Covenant on Civil and Political Rights,

1. *Reaffirms* the importance of the International Covenants on Human Rights as major parts of international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

2. *Appeals strongly* to all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, as well as to accede to the Optional Protocols to the International Covenant on Civil and Political Rights and to make the declaration provided for in article 41 of the Covenant;

3. *Invites* the United Nations High Commissioner for Human Rights to intensify systematic efforts to encourage States to become parties to the International Covenants on Human Rights and, through the programme of advisory services in the field of human rights, to assist such States, at their request, in ratifying or acceding to the Covenants and to the Optional Protocols to the International Covenant on Civil and Political Rights;

4. *Emphasizes* the importance of the strictest compliance by States parties with their obligations under the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocols to the International Covenant on Civil and Political Rights;

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[248] A/52/359.

[249] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. B.

[250] Resolution 2200 A (XXI), annex.

[251] Resolution 217 A (III).

[252] A/52/446.

[253] See resolution 2200 A (XXI), annex, and resolution 44/128, annex.

5. *Stresses* the importance of avoiding the erosion of human rights by derogation, and underlines the necessity of strict observance of the agreed conditions and procedures for derogation under article 4 of the International Covenant on Civil and Political Rights, bearing in mind the need for States parties to provide the fullest possible information during states of emergency so that the justification for the appropriateness of measures taken in those circumstances can be assessed;

6. *Also stresses* the importance of fully taking into account a gender perspective in the implementation of the International Covenants on Human Rights at the national level, including in the national reports of States parties and in the work of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights;

7. *Encourages* States parties to consider limiting the extent of any reservations they lodge to the International Covenants on Human Rights, to formulate any reservations as precisely and narrowly as possible and to ensure that no reservation is incompatible with the object and purpose of the relevant treaty or otherwise contrary to international law;

8. *Also encourages* States parties to review regularly any reservations made in respect of the provisions of the International Covenants on Human Rights with a view to withdrawing them;

9. *Takes note with appreciation* of the annual reports of the Human Rights Committee submitted to the General Assembly at its fifty-first[254] and fifty-second sessions,[255] and takes note of General Comments Nos. 25[256] and 26[257] adopted by the Committee;

10. *Also takes note with appreciation* of the reports of the Committee on Economic, Social and Cultural Rights on its twelfth and thirteenth[258] and fourteenth and fifteenth sessions,[259] and takes note of General Comments Nos. 6 and 7 adopted by the Committee;[256]

11. *Invites* the Human Rights Committee and the Committee on Economic Social and Cultural Rights to identify specific needs of States parties that might be addressed through the advisory services and technical assistance programme of the Office of the United Nations High Commissioner for Human Rights, with the possible participation of members of the Committees where appropriate;

12. *Welcomes* the continuing efforts of both Committees to strive for uniform standards in the implementation of the provisions of the International Covenants on Human Rights, and appeals to other bodies dealing with similar human rights questions to respect those uniform standards, as expressed in the general comments of the Committees;

13. *Urges* States parties to fulfil in good time such reporting obligations under the International Covenants on Human Rights as may be requested and to make use of gender-disaggregated data in their reports;

14. *Also urges* States parties to take duly into account, in implementing the provisions of the International Covenants on Human Rights, the observations made at the conclusion of the consideration of their reports by the Human Rights Committee and by the Committee on Economic, Social and Cultural Rights, as well as the views adopted by the Human Rights Committee under the first Optional Protocol to the International Covenant on Civil and Political Rights;

15. *Invites* States parties to give particular attention to dissemination at the national level of the reports they have submitted to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, the summary records relating to the examination of those reports by the Committees and the observations made by the Committees at the conclusion of the consideration of the reports;

16. *Once again encourages* all Governments to publish the texts of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights in as many local languages as possible and to distribute them and make them known as widely as possible in their territories;

17. *Requests* the Secretary-General to consider ways and means of assisting States parties to the International Covenants on Human Rights in the preparation of their reports, including seminars or workshops at the national level for the purpose of training government officials engaged in the preparation of such reports, and in the exploration of other possibilities available under the regular programme of advisory services in the field of human rights;

18. *Also requests* the Secretary-General to ensure that the Office of the United Nations High Commissioner for Human Rights effectively assists the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in the implementation of their respective mandates, including by the provision of adequate Secretariat staff resources;

19. *Once again urges* the Secretary-General, taking into account the suggestions of the Human Rights Committee, to take determined steps, in particular through the Office of Communications and Public Information of the Secretariat, to give more publicity to the work of that Committee and, similarly, to the work of the Committee on Economic, Social and Cultural Rights;

20. *Requests* the Secretary-General to submit to the General Assembly at its fifty-fourth session, under the item entitled "Human rights questions", a report on the status of the

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[254] *Official Records of the General Assembly, Fifty-first Session, Supplement No. 40* (A/51/40).

[255] Ibid., *Fifty-second Session, Supplement No. 40* (A/52/40).

[256] See HRI/GEN/1/Rev.3.

[257] See CCPR/C/21/Rev.1/Add.8/Rev.1.

[258] *Official Records of the Economic and Social Council, 1996, Supplement No. 2* (E/1996/22).

[259] Ibid., *1997, Supplement No. 2* (E/1997/22).

International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights, including all reservations and declarations.

70th plenary meeting
12 December 1997

52/117. Fiftieth anniversary of the Universal Declaration of Human Rights

The General Assembly,

Recalling that in adopting the Universal Declaration of Human Rights,[260] on 10 December 1948, it recognized the inherent dignity and the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world,

Considering that the fiftieth anniversary of the Declaration provides an opportunity for the United Nations and its Member States to redouble their efforts to promote awareness and strengthened observance of the rights set out in the Declaration and other international instruments and declarations in the field of human rights adopted subsequently,

Recognizing the Declaration as a common standard of achievement for all peoples and all nations, as well as the source of inspiration and the basis of subsequent progress in the field of human rights,

Concerned that international human rights standards are not fully and universally respected, that human rights continue to be violated in all parts of the world and that people still suffer misery and are deprived of full enjoyment of their civil, cultural, economic, political and social rights, and convinced of the necessity of respecting fundamental human rights in all situations and of strengthening the United Nations in this regard,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated, that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and that while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

Convinced of the necessity of protecting and promoting human rights and fundamental freedoms, and determined to take new steps forward, at the national level and with the increased cooperation and solidarity of the international community, with a view to achieving substantial progress in human rights,

Recalling the significance of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[261] as a milestone in the recognition and progressive development of all human rights and fundamental freedoms for all by the international community,

Stressing the importance of ensuring that full attention is given to the integration of the human rights of women into all preparations for and celebrations of the fiftieth anniversary of the Declaration,

Recognizing the fundamental importance of tolerance as an essential element in promoting a culture conducive to the acceptance of diversity and pluralism and thereby to the fuller enjoyment of human rights,

Affirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Declaration can be fully realized,

Stressing the fact that realization of the full range of human rights requires effective policies and compliance at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Convinced that, in the light of the existing level of standard-setting in the field of human rights, a primary task of the United Nations is to promote the universal ratification of or accession to existing international instruments and their full implementation by all States parties to those instruments,

Recalling its decision to convene, during its fifty-third session, a one-day plenary meeting, on 10 December 1998, to celebrate the fiftieth anniversary of the Declaration,[262]

Welcoming the international and national initiatives to commemorate the fiftieth anniversary of the Declaration, and commending the efforts made in all regions of the world to promote all human rights and fundamental freedoms,

1. *Welcomes* the activities undertaken by the United Nations High Commissioner for Human Rights to contribute to the celebration of the fiftieth anniversary of the Universal Declaration of Human Rights, and requests her to continue to coordinate all relevant activities within the United Nations system, bearing in mind the provisions of the Vienna Declaration and Programme of Action[261] for evaluation and follow-up;

2. *Encourages* all Governments and other actors to undertake additional efforts to develop education and information programmes, with a view to disseminating the text of the Declaration and arriving at a better understanding thereof, and emphasizes in that regard the primary importance of grass-roots initiatives in promoting, through education and the media, a culture of all human rights and fundamental freedoms for all;

3. *Invites* Governments and the international community to continue to review and assess the progress made

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[260] Resolution 217 A (III).

[261] A/CONF.157/24 (Part I), chap. III.

[262] Resolution 51/88, para. 8.

in the field of human rights since the adoption of the Declaration and to identify obstacles and ways in which they can be overcome, both through measures at the national level and through enhanced international cooperation, with a view to ensuring full enjoyment of all human rights and fundamental freedoms for all, taking into account developments that have taken place during the past fifty years;

4. *Urges* Governments to endorse and implement national programmes for the celebration of the fiftieth anniversary of the Declaration and to ensure wide participation, including the participation of public administration institutions, national institutions, non-governmental organizations, academic circles and all strata of civil society, and thereby to bring the letter and spirit of the Declaration to the awareness of all;

5. *Urges* those Governments that have not yet ratified the international human rights treaties and protocols adopted within the framework of the United Nations system to consider doing so, and calls upon all Governments to implement fully their international obligations in the field of human rights;

6. *Invites* the human rights treaty bodies to give appropriate attention, within their mandates and methods of work, to the fiftieth anniversary of the Declaration and to reflect on their possible contribution to the above-mentioned preparations;

7. *Calls upon* relevant United Nations organs and agencies, in the light of the principles set forth in the Declaration, to make, within their respective mandates and fields of action, an assessment of the state of implementation and the impact of existing international human rights instruments and to put forward pertinent conclusions thereon;

8. *Invites* relevant United Nations organs and agencies, in coordination with the United Nations High Commissioner for Human Rights, to mark the anniversary by intensifying their own contributions to United Nations system-wide efforts to promote and protect all human rights and fundamental freedoms;

9. *Invites* Governments, the Secretariat, the Office of Communications and Public Information of the Secretariat, relevant organs and agencies of the United Nations system, within their respective mandates, including the United Nations Educational, Scientific and Cultural Organization, other international organizations and non-governmental organizations, to disseminate widely the Declaration, as well as other international instruments in the field of human rights, with a view to ensuring the universality and full and comprehensive enjoyment of all human rights and fundamental freedoms;

10. *Reaffirms* its commitment to continue building on the inspiration of the Declaration through the development of international human rights standards and of mechanisms for their promotion and protection, taking into account developments over the past fifty years, including the adoption of the Declaration on the Right to Development;[263]

11. *Encourages* national human rights institutions, such as human rights commissions, ombudspersons and others, to play a significant role in the activities marking the fiftieth anniversary of the Declaration;

12. *Invites* non-governmental organizations to participate fully in the preparation for and commemoration of the fiftieth anniversary of the Declaration and to intensify their campaign for greater understanding and better use of the Declaration;

13. *Encourages* the Commission on Human Rights, at its fifty-fourth session, to give the fiftieth anniversary of the Declaration attention commensurate with its historical significance.

70th plenary meeting
12 December 1997

52/118. Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

The General Assembly,

Recalling its resolution 51/87 of 12 December 1996, as well as other relevant resolutions, and taking note of Commission on Human Rights decision 1997/105 of 3 April 1997,[264]

Recalling also the relevant paragraphs of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[265]

Reaffirming that the full and effective implementation of United Nations human rights instruments is of major importance to the efforts of the Organization, pursuant to the Charter of the United Nations and the Universal Declaration of Human Rights,[266] to promote universal respect for and observance of human rights and fundamental freedoms,

Considering that the effective functioning of the human rights treaty bodies established pursuant to United Nations human rights instruments is indispensable for the full and effective implementation of such instruments,

Conscious of the importance of coordination of the human rights promotion and protection activities of the United Nations bodies active in the field of human rights,

Recalling that the effectiveness of the human rights treaty bodies in encouraging the realization by States parties of their obligations under United Nations human rights instruments requires constructive dialogue, which should be based on the reporting process supplemented by information from all relevant sources and aimed at assisting States parties in identifying solutions to human rights problems,

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[263] Resolution 41/128, annex.

[264] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. B.

[265] A/CONF.157/24 (Part I), chap. III.

[266] Resolution 217 A (III).

Recalling also the initiatives taken by a number of human rights treaty bodies to elaborate early-warning measures and urgent procedures, within their mandates, with a view to preventing the occurrence or recurrence of serious human rights violations,

Reaffirming its responsibility for the effective functioning of human rights treaty bodies, and reaffirming also the importance of:

(*a*) Promoting the effective functioning of the periodic reporting by States parties to those instruments,

(*b*) Securing sufficient financial, human and information resources to overcome the under-resourcing of the Office of the United Nations High Commissioner for Human Rights, which impedes the ability of the human rights treaty bodies to carry out their mandates effectively,

(*c*) Promoting greater efficiency and effectiveness through better coordination of the activities of the United Nations bodies active in the field of human rights, taking into account the need to avoid unnecessary duplication and overlapping of their mandates and tasks,

(*d*) Addressing questions of both reporting obligations and financial implications whenever elaborating any further instruments on human rights,

Concerned that lack of adequate resources should not impede the effective functioning of the human rights treaty bodies, including in regard to their ability to work in the applicable working languages,

Taking note of the report of the Secretary-General on the effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights,[267]

1. *Welcomes* the submission of the report of the persons chairing the human rights treaty bodies on their eighth meeting, held at Geneva from 15 to 19 September 1997,[268] and takes note of their conclusions and recommendations;

2. *Encourages* each human rights treaty body to give careful consideration to the relevant conclusions and recommendations contained in the report of the persons chairing the human rights treaty bodies;

3. *Welcomes* the submission to the Commission on Human Rights of the final report of the independent expert on enhancing the long-term effectiveness of the United Nations human rights treaty system;[269]

4. *Encourages* ongoing efforts to identify measures for more effective implementation of the United Nations human rights instruments;

5. *Emphasizes* the need to ensure financing and adequate staff and information resources for the operations of the human rights treaty bodies, and, with this in mind:

(*a*) Reiterates its request that the Secretary-General provide adequate resources in respect of each human rights treaty body;

(*b*) Calls upon the Secretary-General to make the most efficient use of existing resources and to seek the resources necessary to give the human rights treaty bodies adequate administrative support and better access to technical expertise and relevant information;

6. *Takes note with appreciation* of the revised plan of action to strengthen the implementation of the Convention on the Rights of the Child[270] and the plan of action to strengthen implementation of the International Covenant on Economic, Social and Cultural Rights,[271] recalls the importance of administering those plans in accordance with established United Nations procedures, and requests the Secretary-General to include in his report prepared pursuant to the present resolution information on the implementation of those plans of action;

7. *Reaffirms* the need for human rights treaty bodies to better complement each other in their work, and emphasizes that the universal ratification of international human rights treaties containing reporting obligations adopted within the framework of the United Nations system is important for the realization of that complementarity;

8. *Welcomes* the continuing efforts by the human rights treaty bodies and the Secretary-General aimed at streamlining, rationalizing, rendering more transparent and otherwise improving reporting procedures, and urges the Secretary-General, the treaty bodies and the meetings of persons chairing the treaty bodies to continue to examine ways of reducing the duplication of reporting required under the different instruments, without impairing the quality of reporting, and of generally alleviating the reporting burden on States parties;

9. *Takes note with appreciation*, in this regard, of the efforts of the persons chairing the human rights treaty bodies, at their eighth meeting, to develop appropriate reforms of the reporting system, with a view to, *inter alia*, reducing the reporting burden on States parties while maintaining the quality of reporting, and encourages them to continue these efforts, including through the continued examination of the

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[267] A/52/445.

[268] A/52/507, annex.

[269] E/CN.4/1997/74, annex.

[270] Resolution 44/25, annex.

[271] See resolution 2200 A (XXI), annex.

benefits of reports focused on a limited range of issues and of opportunities for harmonizing the general guidelines regarding the form and content of reports, the timing of consideration of reports and the methods of work of the treaty bodies;

10. *Calls upon* the Secretary-General to complete as soon as possible the detailed analytical study comparing the provisions of the International Covenant on Economic, Social and Cultural Rights,[271] the International Covenant on Civil and Political Rights,[271] the International Convention on the Elimination of All Forms of Racial Discrimination,[272] the Convention on the Elimination of All Forms of Discrimination against Women,[273] the Convention on the Rights of the Child[270] and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[274] which is being prepared with a view to identifying duplication of reporting required under those instruments;

11. *Urges* States parties to contribute, individually and through meetings of States parties, to the identification and implementation of ways of further streamlining, rationalizing, avoiding duplication of and otherwise improving reporting procedures;

12. *Welcomes* the publication of the revised *Manual on Human Rights Reporting*;

13. *Requests* the Secretary-General to compile in a single volume all the general guidelines regarding the form and content of reports to be submitted by States parties that have been issued by the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women, the Committee on the Elimination of Racial Discrimination, the Committee on the Rights of the Child and the Committee against Torture;

14. *Reiterates its concern* about the increasing backlog of reports on the implementation by States parties of certain United Nations instruments on human rights and about delays in consideration of reports by the treaty bodies;

15. *Also reiterates its concern* about the large number of overdue reports under the United Nations instruments on human rights, and again urges States parties to make every effort to meet their reporting obligations;

16. *Invites* States parties that have been unable to comply with the requirements to submit their initial report to avail themselves of technical assistance;

17. *Urges* all States parties whose reports have been examined by human rights treaty bodies to provide adequate follow-up to the observations and final comments of the treaty bodies on their reports;

18. *Encourages* the human rights treaty bodies to continue to identify specific possibilities for technical assistance, to be provided at the request of the State concerned, in the regular course of their work of reviewing the periodic reports of States parties;

19. *Recalls* the recommendation by the meeting of persons chairing the human rights treaty bodies that treaty bodies urge each State party to translate, publish and make widely available in its territory the full text of the concluding observations on its reports to the treaty bodies;

20. *Welcomes* the contribution to the work of the human rights treaty bodies made by the specialized agencies and other United Nations bodies, and invites the specialized agencies, other United Nations bodies and the treaty bodies to continue to pursue further cooperation between them;

21. *Notes* that efforts continue to be made at coordination and cooperation between the human rights treaty bodies and the special procedures, rapporteurs, representatives, experts and working groups of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities, all acting within their respective mandates;

22. *Recognizes* the important role played by non-governmental organizations in all parts of the world in the effective implementation of all human rights instruments, and encourages the exchange of information between the human rights treaty bodies and such organizations;

23. *Recalls*, with regard to the election of the members of the human rights treaty bodies, the importance of giving consideration to equitable geographical distribution of membership and to the representation of the principal legal systems and of bearing in mind that the members shall be elected and serve in their personal capacity and shall be of high moral character and recognized competence in the field of human rights;

24. *Requests* the Secretary-General to include in his report prepared pursuant to the present resolution a detailed explanation of the basis for the payment of honoraria to the members of the human rights treaty bodies and suggestions to improve coherence in this regard;

25. *Encourages* the Economic and Social Council, as well as its functional commissions and their subsidiary bodies, and other United Nations bodies and the specialized agencies to consider the feasibility of participation by representatives of the human rights treaty bodies in their meetings;

26. *Welcomes* the continuing emphasis by the persons chairing the human rights treaty bodies that the enjoyment of the human rights of women should be monitored closely by each treaty body within the purview of its mandate, and, in this regard, endorses the request of the persons chairing the human rights treaty bodies that the Division for the Advancement of Women of the Secretariat prepare a study, for use by the United Nations High Commissioner for Human Rights and the treaty bodies, analysing what each treaty body has done to

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[272] Resolution 2106 A (XX), annex.

[273] Resolution 34/180, annex.

[274] Resolution 39/46, annex.

incorporate gender perspectives into its work and making practical suggestions about what each could do to further incorporate gender perspectives;[275]

27. *Also welcomes* all appropriate measures the human rights treaty bodies may take, within their mandates, in response to situations of massive human rights violations, including bringing those violations to the attention of the United Nations High Commissioner for Human Rights, the Secretary-General and the competent bodies of the United Nations in the field of human rights, and requests the High Commissioner, acting within her mandate, to coordinate and consult throughout the United Nations system in this regard;

28. *Welcomes* the request of the persons chairing the human rights treaty bodies to hold an extraordinary three-day meeting early in 1998 to pursue the reform process with the aim of improving the effective implementation of international instruments on human rights,[276] and requests the Secretary-General to take the appropriate steps to finance the meeting from the available resources of the regular budget of the United Nations;

29. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on measures taken to implement the present resolution, on obstacles to its implementation and on measures taken or planned to ensure financing and adequate staff and information resources for the effective operation of the human rights treaty bodies;

30. *Decides* to continue giving priority consideration at its fifty-third session to the conclusions and recommendations of the meetings of persons chairing human rights treaty bodies, in the light of the deliberations of the Commission on Human Rights, under the item entitled "Human rights questions".

70th plenary meeting
12 December 1997

52/119. Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes

The General Assembly,

Reaffirming the purpose of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling also its resolution 2625 (XXV) of 24 October 1970, by which it approved the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Recalling further the principle enshrined in Article 2, paragraph 7, of the Charter of the United Nations, which establishes that nothing contained in the Charter shall authorize the United Nations to intervene in matters that are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the Charter,

Reaffirming the obligation of Member States to comply with the principles of the Charter and the resolutions of the United Nations regarding the right to self-determination, by virtue of which all peoples can freely determine, without external interference, their political status and freely pursue their economic, social and cultural development,

Recognizing that the principles of national sovereignty and non-interference in the internal affairs of any State should be respected in the holding of elections,

Recognizing also that there is no single political system or single universal model for electoral processes equally suited to all nations and their peoples and that political systems and electoral processes are subject to historical, political, cultural and religious factors,

Convinced that the establishment of the necessary mechanisms and means to guarantee full and effective popular participation in electoral processes corresponds to States,

Recalling all its previous resolutions in this regard, particularly its resolution 50/172 of 22 December 1995,

Welcoming the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[277] in which the Conference reaffirmed that the processes of promoting and protecting human rights should be conducted in conformity with the purposes and principles of the Charter,

1. *Reiterates* that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right, freely and without external interference, to determine their political status and to pursue their economic, social and cultural development and that every State has the duty to respect that right in accordance with the provisions of the Charter;

2. *Reaffirms* that it is the concern solely of peoples to determine methods and to establish institutions regarding the electoral process, as well as to determine the methods for its implementation according to their constitution and national legislation and that, consequently, States should establish the necessary mechanisms and means to guarantee full and effective popular participation in those processes;

3. *Also reaffirms* that any activities that attempt, directly or indirectly, to interfere in the free development of

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[275] A/52/507, annex, para. 62.

[276] Ibid., para. 75.

[277] A/CONF.157/24 (Part I), chap. III.

national electoral processes, in particular in the developing countries, or that are intended to sway the results of such processes, violate the spirit and letter of the principles established in the Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations;

4. *Further reaffirms* that electoral assistance to Member States should be provided by the United Nations only at the request and with the consent of specific sovereign States, in strict conformity with the principles of sovereignty and non-interference in the internal affairs of States, or in special circumstances such as cases of decolonization or in the context of regional or international peace processes;

5. *Strongly appeals* to all States to refrain from financing or providing, directly or indirectly, any other form of overt or covert support for political parties or groups and from taking actions to undermine the electoral processes in any country;

6. *Condemns* any act of armed aggression or threat or use of force against peoples, their elected Governments or their legitimate leaders;

7. *Reaffirms* that all countries have the obligation under the Charter to respect the right of others to self-determination and to determine freely their political status and pursue their economic, social and cultural development;

8. *Decides* to consider this question at its fifty-fourth session under the item entitled "Human rights questions".

70th plenary meeting
12 December 1997

52/120. Human rights and unilateral coercive measures

The General Assembly,

Recalling its resolution 51/103 of 12 December 1996,

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, in which it is declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Taking note of the report submitted by the Secretary-General[278] pursuant to Commission on Human Rights resolution 1995/45 of 3 March 1995,[279]

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and, in this regard, reaffirming the right to development as an integral part of all human rights,

Recalling that the World Conference on Human Rights called upon States to refrain from any unilateral coercive measure not in accordance with international law and the Charter of the United Nations that creates obstacles to trade relations among States and impedes the full realization of all human rights,[280]

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development, adopted by the World Summit for Social Development on 12 March 1995,[281] the Beijing Declaration and the Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995,[282] and the Istanbul Declaration on Human Settlements and the Habitat Agenda, adopted on 14 June 1996 by the second United Nations Conference on Human Settlements (Habitat II),[283]

Deeply concerned that, despite the recommendations adopted on this issue by the General Assembly and at recent major United Nations conferences and contrary to general international law and the Charter of the United Nations, unilateral coercive measures continue to be promulgated and implemented with all their extraterritorial effects, *inter alia*, on the economic and social development of targeted countries and peoples and individuals under the jurisdiction of other States,

Noting the continuing efforts of the Working Group on the Right to Development, and reaffirming in particular its criteria according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,[284]

1. *Urges* all States to refrain from adopting or implementing any unilateral measure not in accordance with international law and the Charter of the United Nations, in particular those of a coercive nature with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights[285] and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Rejects* unilateral coercive measures with all their extraterritorial effects as tools for political or economic

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[278] E/CN.4/1996/45 and Add.1.

[279] See *Official Records of the Economic and Social Council, 1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[280] See A/CONF.157/24 (Part I), chap. III, sect. I, para. 31.

[281] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[282] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[283] A/CONF.165/14, chap. I, resolution 1, annexes I and II.

[284] Resolution 41/128, annex.

[285] Resolution 217 A (III).

pressure against any country, in particular against developing countries, because of their negative effects on the realization of all the human rights of vast sectors of their populations, in particular children, women and the elderly;

3. *Calls upon* Member States that have initiated such measures to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are party by revoking such measures at the earliest time possible;

4. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

5. *Urges* the Commission on Human Rights to take fully into account the negative impact of unilateral coercive measures, including enactment of national laws and their extraterritorial application, in its task concerning the implementation of the right to development;

6. *Requests* the United Nations High Commissioner for Human Rights, in discharging her functions relating to the promotion, realization and protection of the right to development, to give urgent consideration to the present resolution in her annual report to the General Assembly;

7. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States, to seek their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit accordingly a report thereon to the General Assembly at its fifty-third session;

8. *Decides* to examine this question on a priority basis at its fifty-third session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

70th plenary meeting
12 December 1997

52/121. Respect for the right to universal freedom of travel and the vital importance of family reunification

The General Assembly,

Reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated,

Recalling the provisions of the Universal Declaration of Human Rights,[286]

Stressing that, as stated in the Programme of Action of the International Conference on Population and Development,[287] family reunification of documented migrants is an important factor in international migration and that remittances by documented migrants to their countries of origin often constitute a very important source of foreign exchange and are instrumental in improving the well-being of relatives left behind,

Recalling its resolution 51/89 of 12 December 1996,

1. *Once again calls upon* all States to guarantee the universally recognized freedom of travel to all foreign nationals legally residing in their territory;

2. *Reaffirms* that all Governments, in particular those of receiving countries, must recognize the vital importance of family reunification and promote its incorporation into national legislation in order to ensure protection of the unity of families of documented migrants;

3. *Calls upon* all States to allow, in conformity with international legislation, the free flow of financial remittances by foreign nationals residing in their territory to their relatives in the country of origin;

4. *Also calls upon* all States to refrain from enacting, and to repeal if it already exists, legislation intended as a coercive measure that discriminates against legal migrants by adversely affecting family reunification and the right to send financial remittances to relatives in the country of origin;

5. *Decides* to continue its consideration of this question at its fifty-third session under the item entitled "Human rights questions".

70th plenary meeting
12 December 1997

52/122. Elimination of all forms of religious intolerance

The General Assembly,

Recalling that all States have pledged themselves, under the Charter of the United Nations, to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter,

Reaffirming also its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling article 18 of the International Covenant on Civil and Political Rights,[288]

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[286] Ibid.

[287] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[288] See resolution 2200 A (XXI), annex.

Emphasizing that the right to freedom of thought, conscience, religion and belief is far-reaching and profound and that it encompasses freedom of thought on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others,

Reaffirming the call of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, for all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,[289]

Calling upon all Governments to cooperate with the Special Rapporteur of the Commission on Human Rights on the elimination of all forms of religious intolerance and of discrimination based on religion or belief to enable him to carry out his mandate fully,

Alarmed that serious instances of intolerance and discrimination on the grounds of religion or belief, including acts of violence, intimidation and coercion motivated by religious intolerance, occur in many parts of the world and threaten the enjoyment of human rights and fundamental freedoms,

Deeply concerned that, as reported by the Special Rapporteur, the rights violated on religious grounds include the right to life, the right to physical integrity and to liberty and security of person, the right to freedom of expression, the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment and the right not to be arbitrarily arrested or detained,[290]

Believing that further efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief,

1. *Reaffirms* that freedom of thought, conscience, religion and belief is a human right derived from the inherent dignity of the human person and guaranteed to all without discrimination;

2. *Urges* States to ensure that their constitutional and legal systems provide adequate and effective guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies in cases where the right to freedom of religion or belief is violated;

3. *Also urges* States to ensure, in particular, that no one within their jurisdiction is, because of his or her religion or belief, deprived of the right to life or the right to liberty and security of person or subjected to torture or arbitrary arrest or detention;

4. *Further urges* States, in conformity with international standards of human rights, to take all necessary action to prevent such instances, to take all appropriate measures to combat hatred, intolerance and acts of violence, intimidation and coercion motivated by religious intolerance and to encourage, through the educational system and by other means, understanding, tolerance and respect in matters relating to freedom of religion or belief;

5. *Recognizes* that legislation alone is not enough to prevent violations of human rights, including the right to freedom of religion or belief;

6. *Emphasizes* that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

7. *Urges* States to ensure that, in the course of their official duties, members of law enforcement bodies, civil servants, educators and other public officials respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

8. *Calls upon* all States to recognize, as provided in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for those purposes;

9. *Expresses its grave concern* at any attack upon religious places, sites and shrines, and calls upon all States, in accordance with their national legislation and in conformity with international human rights standards, to exert utmost efforts to ensure that such places, sites and shrines are fully respected and protected;

10. *Recognizes* that the exercise of tolerance and non-discrimination by persons and groups is necessary for the full realization of the aims of the Declaration;

11. *Encourages* the continued efforts on the part of the Special Rapporteur of the Commission on Human Rights on the elimination of all forms of religious intolerance and of discrimination based on religion or belief appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate;

12. *Encourages* Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable him to fulfil his mandate even more effectively;

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[289] A/CONF.157/24 (Part I), chap. III, sect. II, para. 22.

[290] E/CN.4/1994/79, para. 103.

13. *Also encourages* Governments, when seeking the assistance of the United Nations Programme of Advisory Services and Technical Assistance in the Field of Human Rights, to consider, where appropriate, including requests for assistance in the field of the promotion and protection of the right to freedom of thought, conscience and religion;

14. *Welcomes and encourages* the efforts of non-governmental organizations and religious bodies and groups to promote the implementation of the Declaration, and invites them to consider what further contribution they could make to its implementation and dissemination in all parts of the world;

15. *Requests* the Commission on Human Rights to continue its consideration of measures to implement the Declaration;

16. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its fifty-third session;

17. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the necessary staffing, financial and material resources to enable him to discharge his mandate in full and on time;

18. *Decides* to consider the question of the elimination of all forms of religious intolerance at its fifty-third session under the item entitled "Human rights questions".

70th plenary meeting
12 December 1997

52/123. Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The General Assembly,

Recalling its resolution 47/135 of 18 December 1992, as well as its subsequent resolutions on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,

Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to political and social stability and peace and enrich the cultural heritage of society as a whole in the States in which such persons live,

Concerned by the growing frequency and severity of disputes and conflicts concerning minorities in many countries and their often tragic consequences, and concerned also that persons belonging to minorities are particularly vulnerable to displacement through, *inter alia*, population transfers, refugee flows and forced relocation,

Acknowledging that the United Nations has an increasingly important role to play regarding the protection of minorities by, *inter alia*, taking due account of and giving effect to the Declaration,

Noting that the Working Group on Minorities of the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights held its third session from 26 to 30 May 1997,[291]

1. *Takes note* of the report of the Secretary-General;[292]

2. *Reaffirms* the obligation of States to ensure that persons belonging to minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law, in accordance with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

3. *Urges* States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration, including through the facilitation of their participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development of their country;

4. *Also urges* States to take, as appropriate, all the necessary constitutional, legislative, administrative and other measures to promote and give effect to the Declaration;

5. *Recognizes* that respect for human rights and the promotion of understanding and tolerance by Governments as well as between and among minorities are central to the protection and promotion of the rights of persons belonging to minorities;

6. *Appeals* to States to make bilateral and multilateral efforts, as appropriate, in order to protect the rights of persons belonging to national or ethnic, religious and linguistic minorities in their countries, in accordance with the Declaration;

7. *Calls upon* the Secretary-General to make available, at the request of Governments concerned, qualified expertise on minority issues, including the prevention and resolution of disputes, to assist in existing or potential situations involving minorities;

8. *Calls upon* the United Nations High Commissioner for Human Rights to promote, within her mandate, the implementation of the Declaration and to continue to engage in a dialogue with Governments concerned for that purpose;

9. *Requests* the High Commissioner to continue her efforts to improve the coordination and cooperation among United Nations programmes and agencies on activities related to the promotion and protection of the rights of persons belonging to minorities and to take the work of relevant regional organizations active in the field of human rights into account in her endeavours;

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[291] E/CN.4/Sub.2/1997/18.

[292] A/52/498.

10. *Welcomes* the inter-agency consultation of the High Commissioner with United Nations programmes and agencies on minority issues, and calls upon those programmes and agencies to contribute actively to this process;

11. *Urges* all treaty bodies to give due regard, within their respective mandates, to the promotion and protection of the rights of persons belonging to minorities;

12. *Calls upon* all special representatives, special rapporteurs and working groups of the Commission on Human Rights to continue to give attention, within their respective mandates, to situations involving minorities;

13. *Encourages* intergovernmental and non-governmental organizations to continue to contribute to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities;

14. *Expresses its expectation* that the Working Group on Minorities of the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights will further implement its mandate with the involvement of a wide range of participants;

15. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution under the item entitled "Human rights questions".

70th plenary meeting
12 December 1997

52/124. Human rights in the administration of justice

The General Assembly,

Recalling its resolution 50/181 of 22 December 1995, and taking note of Commission on Human Rights resolution 1996/32 of 19 April 1996[293] and decision 1997/106 of 11 April 1997[294] on human rights in the administration of justice, particularly with respect to children and juveniles in detention,

Bearing in mind the principles embodied in articles 3, 5, 9 and 10 of the Universal Declaration of Human Rights[295] and the relevant provisions of the International Covenant on Civil and Political Rights and the Optional Protocols thereto,[296] in particular article 6 of the Covenant, which explicitly states that no one shall be arbitrarily deprived of his life and prohibits the imposition of the death penalty for crimes committed by persons below eighteen years of age,

Bearing in mind also the relevant principles embodied in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[297] the International Convention on the Elimination of All Forms of Racial Discrimination[298] and the Convention on the Rights of the Child,[299]

Mindful of the Convention on the Elimination of All Forms of Discrimination against Women,[300] in particular of the obligation of States to treat men and women equally in all stages of procedures in courts and tribunals,

Recalling in particular article 37 of the Convention on the Rights of the Child, according to which every child deprived of liberty shall be treated in a manner which takes into account the needs of persons of his or her age,

Calling attention to the numerous international standards in the field of the administration of justice,

Welcoming the Guidelines for Action on Children in the Criminal Justice System,[301] including the establishment of a coordination panel on technical advice and assistance in juvenile justice,

Welcoming also the important work of the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice in the field of human rights in the administration of justice, and emphasizing the importance of coordinating the activities carried out under their responsibility,

Acknowledging the important role of the regional commissions, the specialized agencies and United Nations institutes in the areas of human rights and crime prevention and criminal justice and of other organizations of the United Nations system, as well as intergovernmental and non-governmental organizations, including national professional associations concerned with promoting United Nations standards in this field,

Aware of the need for special vigilance with regard to the vulnerable situation of children and juveniles, as well as women and girls in detention,

1. *Reaffirms* the importance of the full and effective implementation of all United Nations standards on human rights in the administration of justice;

2. *Reiterates its call* to all Member States to spare no effort in providing for effective legislative and other mechanisms and procedures, as well as adequate resources, to ensure the full implementation of those standards;

3. *Invites* Governments to provide training, including gender-sensitive training, in human rights in the administration of justice, including juvenile justice, to all judges, lawyers,

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[293] See *Official Records of the Economic and Social Council, 1996, Supplement No. 3* (E/1996/23), chap. II, sect. A.

[294] Ibid., *1997, Supplement No. 3* (E/1997/23), chap. II, sect. B.

[295] Resolution 217 A (III).

[296] See resolution 2200 A (XXI), annex, and resolution 44/128, annex.

[297] Resolution 39/46, annex.

[298] Resolution 2106 A (XX), annex.

[299] Resolution 44/25, annex.

[300] Resolution 34/180, annex.

[301] Economic and Social Council resolution 1997/30, annex.

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prosecutors, social workers and other professionals concerned, including police and immigration officers;

4. *Invites* States to make use of technical assistance offered by the United Nations programmes of technical assistance in order to strengthen national capacities and infrastructures in the field of administration of justice;

5. *Invites* the international community to respond favourably to requests for financial and technical assistance for the enhancement and strengthening of the administration of justice;

6. *Calls upon* the Secretary-General to strengthen system-wide coordination in the field of administration of justice, in particular between the United Nations programmes in the fields of human rights and crime prevention and criminal justice;

7. *Calls upon* the United Nations High Commissioner for Human Rights, as well as mechanisms of the Commission on Human Rights and its subsidiary bodies, including special rapporteurs, special representatives and working groups, to continue to give special attention to questions relating to the effective promotion of human rights in the administration of justice and to provide, where appropriate, specific recommendations in this regard, including proposals for measures to provide advisory services and technical assistance;

8. *Invites* the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice to coordinate closely their activities relating to the administration of justice;

9. *Decides* to consider the question of human rights in the administration of justice at its fifty-fourth session under the item entitled "Human rights questions".

70th plenary meeting
12 December 1997

52/125. Strengthening of the rule of law

The General Assembly,

Recalling that, by adopting the Universal Declaration of Human Rights,[302] Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Firmly convinced that the rule of law is an essential factor in the protection of human rights, as stressed in the Declaration, and should continue to attract the attention of the international community,

Convinced that, through their own national legal and judicial systems, States must provide appropriate civil, criminal and administrative remedies for violations of human rights,

Recognizing the importance of the role that can be played by the Office of the United Nations High Commissioner for Human Rights in supporting national efforts to strengthen the institutions of the rule of law,

Bearing in mind that, in its resolution 48/141 of 20 December 1993, the General Assembly entrusted the United Nations High Commissioner for Human Rights with, *inter alia*, providing advisory services and technical and financial assistance in the field of human rights, enhancing international cooperation for the promotion and protection of all human rights and coordinating human rights activities throughout the United Nations system,

Recalling the recommendation of the World Conference on Human Rights, which was held at Vienna from 14 to 25 June 1993, that a comprehensive programme be established within the United Nations with a view to helping States in the task of building and strengthening adequate national structures that have a direct impact on the overall observance of human rights and the maintenance of the rule of law,[303]

Recalling also its resolution 51/96 of 12 December 1996, and taking note of Commission on Human Rights resolution 1997/48 of 11 April 1997,[304]

1. *Takes note with satisfaction* of the report of the Secretary-General;[305]

2. *Praises* the efforts made by the Office of the United Nations High Commissioner for Human Rights to accomplish its ever-increasing tasks with the limited financial and personnel resources at its disposal;

3. *Expresses its deep concern* at the scarcity of means at the disposal of the Office of the High Commissioner for the fulfilment of its tasks;

4. *Notes* that the United Nations Programme of Advisory Services and Technical Assistance in the Field of Human Rights does not have sufficient funds to provide any substantial financial assistance to national projects that have a direct impact on the realization of human rights and the maintenance of the rule of law in countries that are committed to those ends but that face economic hardship;

5. *Affirms* that the Office of the High Commissioner remains the focal point for coordinating system-wide attention on human rights, democracy and the rule of law;

6. *Welcomes* the deepening of the ongoing dialogue initiated by the United Nations High Commissioner for Human Rights with other relevant bodies and programmes of the United Nations system, with a view to enhancing system-wide

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[302] Resolution 217 A (III).

[303] See A/CONF.157/24 (Part I), chap. III, sect. II, para. 69.

[304] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[305] A/52/475.

coordination of assistance in human rights, democracy and the rule of law;

7. *Encourages* the High Commissioner to continue this dialogue, taking into account the need to explore new synergies with other organs and agencies of the United Nations system with a view to obtaining increased financial assistance for human rights and the rule of law;

8. *Also encourages* the High Commissioner to continue to explore the possibility of further contact with and support of financial institutions, acting within their mandates, with a view to obtaining technical and financial means to strengthen the capacity of the Office of the High Commissioner to provide assistance to national projects aiming at the realization of human rights and the maintenance of the rule of law;

9. *Requests* the High Commissioner to accord high priority to the technical cooperation activities undertaken by the Office of the High Commissioner with regard to the rule of law;

10. *Takes note with appreciation* of the proposal contained in the report of the Secretary-General that an analysis be undertaken of technical cooperation provided by the United Nations in the field of human rights with the aim of formulating recommendations for inter-agency coordination, funding and allocation of responsibilities in order to improve efficiency and complementarity of action concerning, *inter alia*, assistance to States in strengthening the rule of law;

11. *Requests* the Secretary-General to submit a report to the General Assembly at its fifty-third session on the results of the contacts established in accordance with the present resolution, as well as on any other developments pertaining to the implementation of the above-mentioned recommendation of the World Conference on Human Rights.

70th plenary meeting
12 December 1997

52/126. Protection of United Nations personnel

The General Assembly,

Recalling its resolutions 51/137 of 13 December 1996 and 51/227 of 3 April 1997, and taking note of Commission on Human Rights resolution 1997/25 of 11 April 1997;[306]

Mindful that, owing to the growing number of assignments entrusted to the United Nations system by Member States, special attention for the safety and security of United Nations and other personnel acting under the authority of United Nations operations is required,

Gravely concerned at the recent increase in attacks and the use of force against United Nations and other personnel acting under the authority of United Nations operations, including murder, physical and psychological threats, hostage-taking, shooting at vehicles and aircraft, mine-laying, looting of assets and other hostile acts, and, in that context, welcoming the statement by the President of the Security Council on 12 March 1997 on the security of United Nations operations,[307]

Guided by the relevant principles on protection contained in the Convention on the Privileges and Immunities of the United Nations,[308] the Convention on the Privileges and Immunities of the Specialized Agencies[309] and the Convention on the Safety of United Nations and Associated Personnel,[310]

Noting that since its adoption on 9 December 1994, only forty-three Member States have signed the Convention on the Safety of United Nations and Associated Personnel and only fourteen have ratified it,

1. *Takes note with appreciation* of the report of the Secretary-General on the situation of United Nations personnel and their families[311] and of the developments indicated therein;

2. *Urges* all States:

(*a*) To respect and ensure respect for the human rights of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation and to take the necessary measures to ensure the safety and security of those personnel, as well as the inviolability of United Nations premises, which are essential to the continuation and successful implementation of United Nations operations;

(*b*) To ensure the speedy release of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation who have been arrested or detained in violation of their immunity, in accordance with the relevant above-mentioned conventions and applicable international humanitarian law;

3. *Calls upon* all States:

(*a*) To consider becoming parties to the Convention on the Safety of United Nations and Associated Personnel;[310]

(*b*) To provide adequate and prompt information concerning the arrest or detention of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation;

(*c*) To grant the representative of the competent international organization immediate and unconditional access to such personnel;

(*d*) To allow independent medical teams to investigate the health of detained United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation and to afford them the necessary medical assistance;

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[306] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[307] S/PRST/1997/13; see *Resolutions and Decisions of the Security Council, 1997*.

[308] Resolution 22 A (I).

[309] Resolution 179 (II).

[310] Resolution 49/59, annex.

[311] A/52/548.

(*e*) To allow representatives of the competent international organization concerned to attend hearings involving United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation, provided that such attendance is consistent with domestic law;

4. *Requests* the Secretary-General:

(*a*) To take the necessary measures to ensure full respect for the human rights, privileges and immunities of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation and to ensure, when those human rights, privileges and immunities are violated, that such personnel are restored to their organization and, where appropriate, to seek redress and compensation for the damage caused to them;

(*b*) To consider ways and means, until the Convention on the Safety of United Nations and Associated Personnel has entered into force, to strengthen the protection of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation, notably by seeking the inclusion, in negotiations of headquarters and other mission agreements concerning United Nations and associated personnel, of the applicable conditions contained in the Convention on the Privileges and Immunities of the United Nations,[308] the Convention on the Privileges and Immunities of the Specialized Agencies[309] and the Convention on the Safety of United Nations and Associated Personnel;

(*c*) To take the necessary measures, falling within his responsibilities, to ensure that security matters are an integrated part of the planning for an operation and that such precautions extend to all United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation;

(*d*) To take the necessary measures to ensure that United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation are properly informed and suitably trained so as to enhance their security and effectiveness in accomplishing their functions;

(*e*) To take the necessary measures to ensure that United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation are properly informed about the scope of that mandate and the standards, including those contained in relevant domestic and international law, they are required to meet;

(*f*) To make available to the Commission on Human Rights at its fifty-fourth session the independent study that was requested at its fifty-third session on the safety and security problems faced by United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation;

(*g*) To submit to the General Assembly at its fifty-third session a report on the situation of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation who are imprisoned, missing or held in a country against their will, on cases that have been successfully settled and on the implementation of the measures referred to in the present resolution.

70th plenary meeting
12 December 1997

52/127. United Nations Decade for Human Rights Education, 1995-2004, and public information activities in the field of human rights

The General Assembly,

Guided by the fundamental and universal principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights,[312] article 26 of which states that "education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms", and the provisions of other international human rights instruments, such as those of article 13 of the International Covenant on Economic, Social and Cultural Rights,[313] article 10 of the Convention on the Elimination of All Forms of Discrimination against Women,[314] article 7 of the International Convention on the Elimination of All Forms of Racial Discrimination,[315] article 29 of the Convention on the Rights of the Child,[316] article 10 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[317] and paragraphs 78 to 82 of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[318] which reflect the aims of the aforementioned article,

Recalling the relevant resolutions adopted by the General Assembly and the Commission on Human Rights concerning the United Nations Decade for Human Rights Education, 1995-2004, public information activities in the field of human rights, including the World Public Information Campaign on Human Rights, the project of the United Nations Educational, Scientific and Cultural Organization entitled "Towards a culture of peace", the implementation of and follow-up to the Vienna Declaration and Programme of Action and the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights,

Believing that the World Public Information Campaign on Human Rights is a valuable complement to the activities of the United Nations aimed at the further promotion and protection of human rights, and recalling the importance attached by the World Conference on Human Rights to human rights education and information,

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[312] Resolution 217 A (III).

[313] See resolution 2200 A (XXI), annex.

[314] Resolution 34/180, annex.

[315] Resolution 2106 A (XX), annex.

[316] Resolution 44/25, annex.

[317] Resolution 39/46, annex.

[318] A/CONF.157/24 (Part I), chap. III.

Convinced that each woman, man and child, in order to realize their full human potential, must be made aware of all their human rights and fundamental freedoms,

Convinced also that human rights education should involve more than the provision of information and should constitute a comprehensive lifelong process by which people at all levels of development and in all societies learn respect for the dignity of others and the means and methods of ensuring that respect,

Recognizing that human rights education and information are essential to the realization of human rights and fundamental freedoms and that carefully designed programmes of training, dissemination and information can have a catalytic effect on national, regional and international initiatives to promote and protect human rights and prevent human rights violations,

Convinced that human rights education and information contribute to a concept of development consistent with the dignity of women and men of all ages that takes into account particularly vulnerable segments of society such as children, youth, older persons, indigenous people, minorities, rural and urban poor, migrant workers, refugees, persons with the human immunodeficiency virus/acquired immunodeficiency syndrome infection and disabled persons,

Taking into account the efforts to promote human rights education made by educators and non-governmental organizations in all parts of the world, as well as by intergovernmental organizations, including the Office of the United Nations High Commissioner for Human Rights, the United Nations Educational, Scientific and Cultural Organization, the International Labour Organization and the United Nations Children's Fund,

Recognizing the invaluable and creative role that non-governmental and community-based organizations can play in disseminating public information and engaging in human rights education, especially at the grass-roots level and in remote and rural communities,

Aware of the potential supportive role of the private sector in implementing at all levels of society the Plan of Action for the United Nations Decade for Human Rights Education, 1995-2004,[319] and the World Public Information Campaign on Human Rights, through creative initiatives and financial support for governmental and non-governmental activities,

Convinced that the effectiveness of existing human rights education and public information activities would be enhanced by better coordination and cooperation at the national, regional and international levels,

Recalling that it is within the responsibility of the United Nations High Commissioner for Human Rights to coordinate relevant United Nations education and public information programmes in the field of human rights,

Considering that the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights in 1998 constitutes an invaluable opportunity for all members of the international community to enhance human rights education and information activities throughout the world,

Welcoming the decision of the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights to place the question of the right to education, and in particular human rights education, on its agenda for the duration of the Decade,

1. *Takes note with appreciation* of the report of the Secretary-General on the United Nations Decade for Human Rights Education, 1995-2004, and public information activities in the field of human rights;[320]

2. *Welcomes* the steps taken by Governments and intergovernmental and non-governmental organizations to implement the Plan of Action for the United Nations Decade for Human Rights Education[319] and to develop public information activities in the field of human rights, as indicated in the report of the Secretary-General;

3. *Urges* all Governments to contribute further to the implementation of the Plan of Action, in particular by establishing, in accordance with national conditions, broadly representative national committees for human rights education responsible for the development of comprehensive, effective and sustainable national plans of action for human rights education and information, taking into consideration the guidelines for national plans of action for human rights education contained in the addendum to the report of the Secretary-General;[321]

4. *Urges* Governments to encourage, support and involve national and local non-governmental and community-based organizations in the implementation of their national plans of action;

5. *Calls upon* Governments, in accordance with their national conditions, to accord priority to the dissemination in their relevant national and local languages of the Universal Declaration of Human Rights,[312] the International Covenants on Human Rights[313] and other human rights instruments, human rights materials and training manuals, as well as reports of States parties under the human rights treaties, and to provide information and education in those languages on the practical ways in which national and international institutions and procedures may be utilized to ensure the effective implementation of those instruments;

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[319] A/51/506/Add.1, appendix.

[320] A/52/469 and Add.1.

[321] A/52/469/Add.1.

6. *Requests* the United Nations High Commissioner for Human Rights to continue to coordinate and harmonize human rights education and information strategies within the United Nations system, including the implementation of the Plan of Action, and to ensure maximum effectiveness and efficiency in the use, processing, management and distribution of human rights information and educational materials, including through electronic means;

7. *Encourages* the Office of the United Nations High Commissioner for Human Rights to continue to support national capacities for human rights education and information through its technical cooperation programme in the field of human rights, including the organization of training courses and the development of targeted training materials for professional audiences, as well as the dissemination of human rights information materials as a component of technical cooperation projects;

8. *Urges* the Office of Communications and Public Information of the Secretariat to continue to utilize United Nations information centres for the timely dissemination, within their designated areas of activity, of basic information, reference and audio-visual materials on human rights and fundamental freedoms, including the reports of States parties under human rights instruments, and, to this end, to ensure that the information centres are supplied with adequate quantities of those materials;

9. *Stresses* the need for close collaboration between the Office of the High Commissioner and the Office of Communications and Public Information in the implementation of the Plan of Action and the World Public Information Campaign on Human Rights and the need to harmonize their activities with those of other international organizations such as the United Nations Educational, Scientific and Cultural Organization with regard to its project entitled "Towards a culture of peace" and the International Committee of the Red Cross and relevant non-governmental organizations with regard to the dissemination of information on international humanitarian law;

10. *Invites* the specialized agencies and relevant United Nations programmes and funds to contribute, within their respective spheres of competence, to the implementation of the Plan of Action and the World Public Information Campaign on Human Rights and to cooperate closely with the Office of the High Commissioner in that regard;

11. *Encourages* the human rights treaty bodies, when examining reports of States parties, to place emphasis on obligations of States parties in the area of human rights education and information and to reflect this emphasis in their concluding observations;

12. *Calls upon* international, regional and national non-governmental organizations and intergovernmental organizations, in particular those concerned with women, labour, development, food, housing, education, health care and the environment, as well as all other social justice groups, human rights advocates, educators, religious organizations and the media, to undertake specific activities of formal, non-formal and informal education, including cultural events, alone and in cooperation with the Office of the High Commissioner, in implementing the Plan of Action;

13. *Encourages* Governments and intergovernmental and non-governmental organizations to undertake human rights education and information initiatives in accordance with the Plan of Action and the World Public Information Campaign on Human Rights as a contribution to the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights;

14. *Encourages* the Commission on Human Rights to consider jointly, for the duration of the Decade, the question of the United Nations Decade for Human Rights Education, 1995-2004, and public information activities in the field of human rights, including the World Public Information Campaign on Human Rights;

15. *Requests* the Secretary-General, in cooperation with the Office of the High Commissioner, to consider appropriate ways and means, including the possibility of establishing a voluntary fund, to support human rights education activities, including those undertaken by non-governmental organizations;

16. *Also requests* the Secretary-General, through the United Nations High Commissioner for Human Rights, to bring the present resolution to the attention of all members of the international community and of intergovernmental and non-governmental organizations concerned with human rights education and public information and to submit to the General Assembly at its fifty-third session a comprehensive report on the implementation of the present resolution for consideration under the item entitled "Human rights questions".

70th plenary meeting
12 December 1997

52/128. National institutions for the promotion and protection of human rights

The General Assembly,

Recalling the relevant resolutions of the General Assembly and the Commission on Human Rights concerning national institutions for the promotion and protection of human rights,

Welcoming the rapidly growing interest shown in all regions in the creation and strengthening of independent, pluralistic national institutions for the promotion and protection of human rights,

Convinced of the important role such national institutions play in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms, *Recognizing* that the United Nations has played and should continue to play an important role in assisting the development of national institutions,

Recalling that in its resolution 48/134 of 20 December 1993 the Assembly welcomed the principles relating to the status of national institutions for the promotion and protection of human rights, annexed to that resolution,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[322] which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory capacity to the competent authorities and in their role in remedying human rights violations, in disseminating information on human rights and in education on human rights,

Recalling also the Platform for Action adopted by the Fourth World Conference on Women,[323] in which Governments were urged to create or strengthen independent national institutions for the promotion and protection of human rights, including the human rights of women,

Noting the diverse approaches adopted throughout the world for the protection and promotion of human rights at the national level, emphasizing the universality, indivisibility and interdependence of all human rights, and emphasizing and recognizing the value of such approaches in promoting universal respect for and observance of human rights and fundamental freedoms,

Noting with satisfaction the constructive participation of representatives of national institutions for the promotion and protection of human rights in, and their positive contribution to, the deliberations of the World Conference on Human Rights and the Commission on Human Rights, as well as international seminars and workshops on human rights organized or sponsored by the United Nations,

Welcoming the strengthening of regional cooperation among national human rights institutions and, in particular, the first African Conference of National Institutions for the Promotion and Protection of Human Rights, held at Yaoundé in February 1996, the second International Workshop on Ombudsman and Human Rights Institutions, held at Chisinau in May 1996, the first meeting of the Asia-Pacific Regional Workshop of National Human Rights Institutions, held at Darwin, Australia, in July 1996, the second European Meeting of National Institutions for the Promotion and Protection of Human Rights, held at Copenhagen in January 1997, the third International Workshop on Ombudsman and National Human Rights Institutions, held at Riga in June 1997, and the second meeting of the Asia-Pacific Regional Workshop of National Human Rights Institutions, held at New Delhi in September 1997, as well as the holding of the fourth International Workshop on Ombudsman and National Human Rights Institutions, at Merida, Mexico, in November 1997,

1. *Welcomes* the report of the Secretary-General;[324]

2. *Reaffirms* the importance of the development of effective, independent and pluralistic national institutions for the promotion and protection of human rights, in keeping with the principles relating to the status of national institutions for the promotion and protection of human rights contained in the annex to resolution 48/134;

3. *Recognizes* that, in accordance with the Vienna Declaration and Programme of Action, it is the right of each State to choose the framework for the national institution that is best suited to its particular needs at the national level in order to promote human rights in accordance with international human rights standards;

4. *Encourages* Member States to establish or, where they already exist, to strengthen national institutions for the promotion and protection of human rights, as outlined in the Vienna Declaration and Programme of Action;

5. *Welcomes* the growing number of States establishing or considering the establishment of national institutions for the promotion and protection of human rights and the intensified activities of the Office of the United Nations High Commissioner for Human Rights in promoting and strengthening national institutions;

6. *Encourages* national institutions for the promotion and protection of human rights established by Member States to prevent and combat all violations of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

7. *Reaffirms* the role of national institutions, where they exist, as appropriate agencies, *inter alia*, for the dissemination of human rights materials and other public information activities, including those of the United Nations, and encourages national institutions to play an active role in the celebrations marking the fiftieth anniversary of the Universal Declaration of Human Rights[325] at the national and local levels;

8. *Urges* the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions as part of the programme of advisory services and technical assistance in the field of human rights;

9. *Welcomes* the high priority given by the Office of the United Nations High Commissioner for Human Rights to work on national institutions, encourages the High Commissioner to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national human rights

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[322] A/CONF.157/24 (Part I), chap. III.

[323] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[324] A/52/468.

[325] Resolution 217 A (III).

institutions, and invites Governments to contribute additional, earmarked funds to the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights for that purpose;

10. *Notes* the role of the Coordinating Committee created by national institutions, as recognized in Commission on Human Rights resolution 1994/54 of 4 March 1994,[326] in close cooperation with the Office of the High Commissioner, in assisting Governments and national institutions, when requested, to follow up on relevant resolutions and recommendations concerning the strengthening of national institutions;

11. *Requests* the Secretary-General to continue to provide the necessary assistance for holding meetings of the Coordinating Committee during the sessions of the Commission on Human Rights, in cooperation with the Office of the United Nations High Commissioner for Human Rights;

12. *Also requests* the Secretary-General to continue to provide, from within existing resources and from the resources of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, the necessary assistance for regional meetings of national institutions;

13. *Notes* the importance of resolving the question of finding an appropriate form of participation for independent national institutions in meetings of the Commission on Human Rights and its subsidiary bodies;

14. *Recognizes* the important and constructive role that non-governmental organizations may play, in cooperation with national institutions, for the better promotion and protection of human rights;

15. *Encourages* all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and effective operation of such national institutions;

16. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution.

70th plenary meeting
12 December 1997

52/129. Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization

The General Assembly,

Recalling its previous resolutions on the subject, in particular resolutions 49/190 of 23 December 1994 and 50/185 of 22 December 1995,

Reaffirming that United Nations electoral assistance and support for the promotion of democratization are provided only at the specific request of the Member State concerned,

Recognizing the usefulness of a comprehensive and balanced approach in the activities carried out by the United Nations in this field in order to contribute to the strengthening of both democracy and all human rights within the country concerned,

Acknowledging that United Nations electoral assistance has facilitated the holding of successful elections in several Member States, which has resulted in the orderly and non-violent assumption of office by elected officials, recognizing that elections can be free and fair only if held free of coercion and intimidation, and underlining the importance of respect for the results of elections that have been verified as free and fair,

Taking note of the progress review and recommendations adopted by the Third International Conference of the New or Restored Democracies on Democracy and Development, held at Bucharest from 2 to 4 September 1997,[327] in particular the recognition that the organization and administration of elections in the new or restored democracies often benefit from the help of outside resources and expertise and the request that higher priority be given in resource allocation to governance, democracy and participation programmes in order to sustain the momentum of current progress in holding elections,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[328] in particular the recognition therein that assistance provided upon the request of Governments for the conduct of free and fair elections is of particular importance in the strengthening of a pluralistic civil society,

Noting the establishment of the Association of African Election Authorities, which held its founding meeting at Kampala from 14 to 16 January 1997,

Welcoming the support provided by States to the electoral assistance activities of the United Nations, *inter alia*, through the provision of electoral experts and observers, as well as through contributions to the United Nations Trust Fund for Electoral Observation,

Noting the continuing submission and evolving nature of requests for electoral assistance by Member States,

Noting also that first-time democratic elections have already been held in many Member States, creating a need for reassessment and adaptation of the forms of assistance routinely provided previously, in particular to meet the needs of supporting subsequent elections,

Recognizing the need for strengthening national capacity-building, electoral institutions and civic education in the requesting countries in order to consolidate and regularize the achievements of previous elections,

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[326] See *Official Records of the Economic and Social Council, 1994, Supplement No. 4* and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

[327] A/52/334, appendix.

[328] A/CONF.157/24 (Part I), chap. III.

Having considered the report of the Secretary-General on enhancing the effectiveness of the principle of periodic and genuine elections,[329]

1. *Takes note with appreciation* of the report of the Secretary-General;[329]

2. *Commends* the electoral assistance provided to Member States at their request by the United Nations, and requests that such assistance continue on a case-by-case basis in accordance with the guidelines on electoral assistance, recognizing that the fundamental responsibility for organizing free and fair elections lies with Governments;

3. *Requests* the Electoral Assistance Division of the Department of Political Affairs of the Secretariat to continue to inform Member States on a regular basis about the requests received, responses given to those requests and the nature of the assistance provided;

4. *Requests* that the United Nations continue its efforts to ensure, before undertaking to provide electoral assistance to a requesting State, that there is adequate time to organize and carry out an effective mission for providing such assistance, that conditions exist to allow a free and fair election and that provisions can be made for adequate and comprehensive reporting of the results of the mission;

5. *Commends* the steps taken by the United Nations to ensure the continuation and consolidation of the democratization process in certain Member States requesting assistance, including the provision of technical advice on such issues as, *inter alia*, election organization and budgets, electoral laws, domestic procurement, training, computerization and comparative electoral systems, before and after elections have taken place, as well as needs-assessment missions aimed at recommending programmes that might contribute to the consolidating of the democratization process, and requests that such efforts be strengthened;

6. *Recommends* that the Electoral Assistance Division continue to provide post-election assistance, as appropriate, to requesting States and electoral institutions, in order to contribute to the sustainability of their electoral processes, as provided for in the report of the Secretary-General, and that it study, in cooperation with relevant United Nations offices, ways of defining more clearly the activities related to democratic consolidation that the United Nations might usefully undertake in assisting the efforts of interested States in this regard;

7. *Also recommends* that United Nations electoral assistance be geared towards comprehensive observation of the electoral process, beginning with registration and other pre-election activities and continuing through the campaign, election day and the announcement of the election results, in instances where more than technical assistance is required by the requesting State;

8. *Requests* the Secretary-General to take further steps to support States that request assistance by, *inter alia*, enabling the United Nations High Commissioner for Human Rights, in accordance with her mandate, to support democratization activities related to human rights concerns, including human rights training and education, assistance for human rights-related legislative reform, strengthening and reform of the judiciary, assistance to national human rights institutions and advisory services on treaty accession, reporting and international obligations as related to human rights;

9. *Requests* the United Nations Development Programme to continue its commendable programmes of assistance for governance, in particular those for strengthening democratic institutions and participation and linkages between concerned sectors of society and Governments;

10. *Recalls* the establishment by the Secretary-General of the United Nations Trust Fund for Electoral Observation, and calls upon Member States to consider contributing to the Fund;

11. *Stresses* the importance of reinforced coordination within the United Nations system, including cooperation with all relevant departments within the Secretariat, the Office of the United Nations High Commissioner for Human Rights, the United Nations Development Programme and the United Nations Volunteers, which provide advisory services and technical assistance to requesting Member States, underlines the need for the prompt exchange of information concerning requests for electoral assistance by Member States directed to any of the aforementioned entities, and encourages the Electoral Assistance Division to strengthen its collaboration with those entities, including through an exchange of personnel when appropriate;

12. *Notes with appreciation* additional efforts being made to enhance cooperation with other international, governmental and non-governmental organizations in order to facilitate more comprehensive and need-specific responses to requests for electoral assistance, and expresses appreciation to those Member States, regional organizations and non-governmental organizations that have provided observers or technical experts in support of United Nations electoral assistance efforts;

13. *Encourages* the Secretary-General, through the Electoral Assistance Division, to respond to the evolving nature of requests for assistance and the growing need for specific types of medium-term expert assistance aimed at supporting and strengthening the existing capacity of the requesting Government, in particular through enhancing the capacity of national electoral institutions;

14. *Requests* the Secretary-General to provide the Electoral Assistance Division with adequate human and financial resources to allow it to carry out its mandate and to continue to ensure that the Office of the High Commissioner is able to respond, within its mandate and in close coordination

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[329] A/52/474.

with the Electoral Assistance Division, to the increasing number of requests from Member States for advisory services;

15. *Recommends* that the Secretary-General consider ways to continue to improve coordination and to strengthen further the efforts of the Electoral Assistance Division, the Office of the High Commissioner and the United Nations system in general to respond to its increased and evolving responsibilities in the field of electoral assistance and democratization, as reflected in the present resolution, and to include his recommendations in this regard in his report to the General Assembly at its fifty-fourth session;

16. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution, in particular on the status of requests from Member States for electoral assistance and verification, and on his efforts to enhance the Organization's support of the democratization process in Member States.

70th plenary meeting
12 December 1997

52/130. Protection of and assistance to internally displaced persons

The General Assembly,

Deeply disturbed by the alarmingly high numbers of internally displaced persons throughout the world who receive inadequate protection and assistance, and conscious of the serious problem this is creating for the international community,

Conscious of the human rights and the humanitarian dimensions of the problem of internally displaced persons and the responsibilities this poses for States and the international community to explore methods and means better to address their protection and assistance needs,

Recalling the relevant norms of international human rights instruments, of international humanitarian law and analogous refugee law, and emphasizing the need for their better implementation with regard to internally displaced persons,

Recalling also the emphasis in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[330] on the need to develop global strategies to address the problem of internal displacement,

Noting the progress made thus far by the representative of the Secretary-General on internally displaced persons in developing a legal framework, analysing institutional arrangements, undertaking dialogue with Governments and issuing a series of reports on particular country situations, together with proposals for remedial measures,

Welcoming the request made by the Commission on Human Rights, in its resolution 1997/39 of 11 April 1997,[331] to the Secretary-General to ensure the rapid publication and the wide dissemination of the compilation and analysis of legal norms prepared by his representative,

Welcoming also the decision by the Inter-Agency Standing Committee to extend a standing invitation to the representative of the Secretary-General on internally displaced persons to participate in its meetings and those of its subsidiary bodies, and encouraging further strengthening of this collaboration in order to promote better assistance, protection and development strategies for internally displaced persons,

Recalling its resolution 50/195 of 22 December 1995,

1. *Takes note with appreciation* of the report of the representative of the Secretary-General on internally displaced persons;[332]

2. *Commends* the representative of the Secretary-General for the activities undertaken so far, despite the limited resources available to him, and for the catalytic role he continues to play in raising the level of consciousness about the plight of internally displaced persons;

3. *Encourages* the representative of the Secretary-General to continue his analysis of the causes of internal displacement, the needs of those displaced, measures of prevention and ways to increase protection, assistance and solutions for internally displaced persons;

4. *Also encourages* the representative of the Secretary-General to continue to pay specific attention in his review to the protection and assistance needs of women and children, bearing in mind the relevant strategic objective in the Beijing Declaration and the Platform for Action of the Fourth World Conference on Women;[333]

5. *Looks forward* to the comprehensive study being prepared by the representative of the Secretary-General to promote a comprehensive strategy for better protection, assistance and development for internally displaced persons;

6. *Welcomes* Commission on Human Rights resolution 1997/39,[331] in which the Commission encouraged the representative of the Secretary-General to continue, on the basis of his compilation and analysis of legal norms, to develop a comprehensive framework for the protection of internally displaced persons, and takes note of his preparations for guiding principles to this end;

7. *Calls upon* all Governments to continue to facilitate the activities of the representative of the Secretary-General, in

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[330] A/CONF.157/24 (Part I), chap. III.

[331] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[332] A/52/506, annex.

[333] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

particular Governments with situations of internal displacement, encourages them to give serious consideration to inviting the representative to visit their countries so as to enable him to study and analyse more fully the issues involved, and thanks those Governments which have already done so;

8. *Invites* Governments to give due consideration, in dialogue with the representative of the Secretary-General, to his recommendations and suggestions addressed to them, in accordance with his mandate, and to inform him of measures taken thereon;

9. *Urges* all relevant United Nations humanitarian assistance and development organizations concerned to enhance their collaboration with the representative of the Secretary-General by developing frameworks of cooperation to promote protection, assistance and development for internally displaced persons and to provide all possible assistance and support to him;

10. *Also urges* those organizations, especially through the Inter-Agency Standing Committee, to develop a more comprehensive and coherent system of collecting data on the situation of internally displaced persons, in cooperation with the representative of the Secretary-General;

11. *Requests* the Secretary-General to give all necessary assistance to the representative to carry out his mandate effectively;

12. *Decides* to continue its consideration of this question at its fifty-fourth session.

70th plenary meeting
12 December 1997

52/131. Strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Bearing in mind that among the purposes of the United Nations are those of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and taking other appropriate measures to strengthen universal peace, as well as achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Deeply convinced that United Nations action in this field should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social realities of each of them, in strict compliance with the purposes and principles of the Charter of the United Nations and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Reaffirming all its resolutions in this regard,

Reaffirming also the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[334]

Affirming the importance of the objectivity, independence and discretion of the special rapporteurs and representatives on thematic issues and on countries, as well as of the members of the working groups, in carrying out their mandates,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially under the Charter, as well as various international instruments in the field of human rights,

1. *Reiterates* that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. *Reaffirms* that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. *Calls upon* all Member States to base their activities for the protection and promotion of human rights, including the development of further international cooperation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights,[335] the International Covenant on Economic, Social and Cultural Rights,[336] the International Covenant on Civil and Political Rights[336] and other relevant international instruments and to refrain from activities that are inconsistent with that international framework;

4. *Considers* that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms, as

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[334] A/CONF.157/24 (Part I), chap. III.

[335] Resolution 217 A (III).

[336] See resolution 2200 A (XXI), annex.

legitimate concerns of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

6. *Underlines* the importance of the promotion of dialogue on human rights issues;

7. *Emphasizes* that all human rights are universal, indivisible, interdependent and interrelated and that, as such, the international community must treat them globally in a fair and equal manner, on the same footing and with the same emphasis;

8. *Requests* all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

9. *Expresses its conviction* that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

10. *Stresses*, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events in all countries;

11. *Invites* Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for all human rights and fundamental freedoms for all;

12. *Requests* the Commission on Human Rights to take duly into account the present resolution and to consider further proposals for the strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity;

13. *Reiterates its request* to the Secretary-General to consult Member States, intergovernmental organizations and non-governmental organizations on ways and means for the strengthening of United Nations action in the field of human rights, including the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity, and to submit a comprehensive report on this issue to the General Assembly at its fifty-third session;

14. *Decides* to consider this matter at its fifty-third session under the item entitled "Human rights questions".

70th plenary meeting
12 December 1997

52/132. Human rights and mass exoduses

The General Assembly,

Deeply disturbed by the scale and magnitude of exoduses and displacements of people in many regions of the world and by the human suffering of refugees and displaced persons,

Recalling its previous relevant resolutions, as well as those of the Commission on Human Rights, in particular Commission resolution 1997/75 of 18 April 1997,[337] and the conclusions of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[338] which recognized that gross violations of human rights, including in armed conflicts, are among the multiple and complex factors leading to the displacement of people,

Noting with satisfaction the participation of the United Nations High Commissioner for Human Rights in the framework for coordination activities and projects organized by the United Nations system aimed at evolving a comprehensive approach to address root causes and effects of movements of refugees and other displaced persons and the strengthening of emergency preparedness and response mechanisms,

Conscious of the fact that mass exoduses of populations are caused by multiple and complex factors, which may include human rights violations, political, ethnic and economic conflicts, famine, insecurity, violence, poverty and environmental degradation, indicating that comprehensive approaches, in particular early warning, require an intersectoral and multidisciplinary approach to enable a coherent response, particularly at the international and regional levels,

Recognizing that the human rights machinery of the United Nations, including the mechanisms of the Commission on Human Rights and the human rights treaty bodies, has important capabilities for addressing human rights violations which cause movements of refugees and displaced persons or prevent durable solutions to their plight,

Convinced that the activities of these mechanisms, with a view, *inter alia*, to preventing mass exoduses and to strengthening emergency preparedness and response mechanisms of the United Nations system as a whole, should be encouraged and further developed and coordinated at both the international and regional levels, with priority given to the systematization of early-warning information collection,

Welcoming the continuation of inter-agency consultations on early warning of mass flows of refugees, pursuant to the decision of the Administrative Committee on Coordination, with the purpose of serving in both prevention of and preparedness for humanitarian emergencies,

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[337] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[338] A/CONF.157/24 (Part I), chap. III.

Recognizing the complementarity between the systems for the protection of human rights and for humanitarian action and that the work of humanitarian agencies makes an important contribution to the achievement of human rights,

Welcoming the cooperation between the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme and other relevant United Nations entities to ensure effective coordination of activities within their mandates and expertise with respect to returnee promotion and monitoring, technical advice, institution-building and rehabilitation activities,

Recognizing that women and children constitute the majority of most refugee populations and that, in addition to the problems they share in common with all refugees, women and girls in such circumstances are vulnerable to gender-based discrimination and gender-specific violations of human rights,

Recalling that States parties to the 1951 Convention relating to the Status of Refugees[339] undertake, under article 35, to provide information on the implementation of the Convention to the Office of the United Nations High Commissioner for Refugees, as was recalled by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees in its general conclusions 77 (XLVI) of 1995,[340] 79 (XLVII) of 1996[341] and 81 (XLVIII) of 1997[342] on international protection,

Distressed by the widespread violation of the principle of non-refoulement and of the rights of refugees, in some cases resulting in loss of refugee lives, and by reports indicating that large numbers of refugees and asylum-seekers have been subjected to refoulement and expelled in highly dangerous situations, and recalling that the principle of non-refoulement is not subject to derogation,

Recalling all relevant human rights standards, including the Universal Declaration of Human Rights,[343] the principles of international protection for refugees, the above-mentioned general conclusions of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on international protection and the fact that asylum applicants should have access to fair and expeditious status-determination procedures,

Welcoming the continuing efforts of the United Nations High Commissioner for Refugees in meeting the protection and assistance needs of refugees worldwide and in working to make it possible for refugees to exercise their fundamental right to return to and to stay in their own countries, in safety and dignity,

1. *Takes note* of the report of the Secretary-General;[344]

2. *Recalls with satisfaction* its endorsement, in its resolution 41/70 of 3 December 1986, of the call upon all States to promote human rights and fundamental freedoms and to refrain from denying these to individuals in their population because of nationality, ethnicity, race, religion or language, and urges States to refrain from denying them because of gender;

3. *Strongly deplores* ethnic and other forms of intolerance as one of the major causes of forced migratory movements, and urges States to take all necessary steps to ensure respect for human rights, especially the rights of persons belonging to minorities;

4. *Again invites* all Governments and regional, intergovernmental and humanitarian organizations concerned, where appropriate, to intensify their cooperation and assistance in worldwide efforts to address the serious problems resulting from mass exoduses of refugees and displaced persons and the causes of such exoduses;

5. *Emphasizes* the responsibility of all States and international organizations to cooperate with those countries, particularly developing countries, affected by mass exoduses of refugees and displaced persons, and calls on Governments and the United Nations High Commissioner for Human Rights to continue to respond to the assistance needs of countries hosting large numbers of refugees until durable solutions are found;

6. *Urges* all bodies involved in inter-agency consultations on early warning to cooperate fully in and to increase the necessary commitment and resources to the successful operation of the consultations;

7. *Invites* the special rapporteurs, special representatives and working groups of the Commission on Human Rights and the United Nations human rights treaty bodies, acting within their mandates, to seek information, where appropriate, on human rights problems which may result in mass exoduses of populations or impede their voluntary return home, to include, where appropriate, such information, together with recommendations thereon, in their reports and to bring such information to the attention of the United Nations High Commissioner for Human Rights for appropriate action in fulfilment of her mandate, in consultation with the United Nations High Commissioner for Refugees;

8. *Requests* all United Nations bodies, including the human rights treaty bodies, acting within their mandates, the specialized agencies and governmental, intergovernmental and non-governmental organizations to cooperate fully with all mechanisms of the Commission on Human Rights and, in particular, to provide them with all relevant information in

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[339] United Nations, *Treaty Series*, vol. 189, No. 2545.

[340] *Official Records of the General Assembly, Fiftieth Session, Supplement No. 12A* (A/50/12/Add.1), chap. III, sect. A.1.

[341] Ibid., *Fifty-first Session, Supplement No. 12A* and corrigendum (A/51/12/Add.1 and Corr.1), chap. III, sect. A.1.

[342] Ibid., *Fifty-second Session, Supplement No. 12A* (A/52/12/Add.1), chap. III, sect. A.1.

[343] Resolution 217 A (III).

[344] A/52/494.

their possession on the human rights situations creating or affecting refugees and displaced persons;

9. *Requests* the United Nations High Commissioner for Human Rights, in the exercise of her mandate, as set out in General Assembly resolution 48/141 of 20 December 1993, to coordinate human rights activities throughout the United Nations system and, in cooperation with the United Nations High Commissioner for Refugees, to pay particular attention to situations which cause or threaten to cause mass exoduses and to contribute to efforts to address such situations effectively through protection measures, emergency preparedness and response mechanisms, including information sharing with the United Nations early-warning mechanisms, and the provision of technical advice, expertise and cooperation in countries of origin as well as in host countries;

10. *Welcomes* the efforts of the United Nations High Commissioner for Human Rights to contribute to the creation of an environment viable for return in post-conflict societies through initiatives such as the rehabilitation of the justice system, the creation of national institutions capable of defending human rights, broad-based programmes of human rights education and strengthening of local non-governmental organizations through programmes of advisory services and technical cooperation;

11. *Urges* the Secretary-General to give high priority and to allocate the necessary resources within the regular budget of the United Nations for the consolidation and strengthening of emergency preparedness and response mechanisms, including early-warning activities in the humanitarian area, for the purpose of ensuring, *inter alia*, that effective action is taken to identify all human rights abuses which contribute to mass outflows of persons and to invite comments on this issue;

12. *Welcomes with appreciation* the contributions of the United Nations High Commissioner for Refugees to the deliberations by the Commission on Human Rights at its fifty-third session and to other international human rights bodies and mechanisms and the Commission's invitation to her to address its fifty-fourth session;

13. *Encourages* States that have not already done so to consider acceding to the 1951 Convention[339] and the 1967 Protocol[345] relating to the Status of Refugees and to other relevant regional refugee instruments, as applicable, and to relevant international human rights instruments;

14. *Notes with appreciation* that a number of States not parties to the 1951 Convention and the 1967 Protocol continue to maintain a generous approach to asylum;

15. *Encourages* States parties to the 1951 Convention to provide information to the Office of the United Nations High Commissioner for Refugees, in accordance with article 35 of the Convention;

16. *Calls upon* States to ensure effective protection of refugees by, *inter alia*, respecting the principle of non-refoulement;

17. *Requests* the Secretary-General to prepare and submit to the General Assembly at its fifty-fourth session a report on the implementation of the present resolution as it pertains to all aspects of human rights and mass exoduses, including detailed information on the programmatic, institutional, administrative, financial and management efforts instituted to enhance the capacity of the United Nations to avert new flows of refugees and to tackle the root causes of such flows;

18. *Decides* to continue its consideration of this question at its fifty-fourth session.

70th plenary meeting
12 December 1997

52/133. Human rights and terrorism

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[346] the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations[347] and the International Covenants on Human Rights,[348]

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[349]

Recalling also the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[350]

Recalling further its resolutions 48/122 of 20 December 1993, 49/185 of 23 December 1994 and 50/186 of 22 December 1995,

Recalling previous resolutions on human rights and terrorism of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities,

Taking into account the fact that acts of terrorism in all its forms and manifestations aimed at the destruction of human rights have continued despite national and international efforts,

Bearing in mind that the most essential and basic human right is the right to life,

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[345] United Nations, *Treaty Series*, vol. 606, No. 8791.

[346] Resolution 217 A (III).

[347] Resolution 2625 (XXV), annex.

[348] Resolution 2200 A (XXI), annex.

[349] See resolution 50/6.

[350] A/CONF.157/24 (Part I), chap. III.

Bearing in mind also that terrorism creates an environment that destroys the right of people to live in freedom from fear,

Reiterating that all States have an obligation to promote and protect all human rights and fundamental freedoms and that every individual should strive to secure their universal and effective recognition and observance,

Seriously concerned about the gross violations of human rights perpetrated by terrorist groups,

Profoundly deploring the increasing number of innocent persons, including women, children and the elderly, killed, massacred and maimed by terrorists in indiscriminate and random acts of violence and terror, which cannot be justified under any circumstances,

Noting with great concern the growing connection between the terrorist groups and other criminal organizations engaged in the illegal traffic in arms and drugs at the national and international levels, as well as the consequent commission of serious crimes such as murder, extortion, kidnapping, assault, the taking of hostages and robbery,

Mindful of the need to protect the human rights of and guarantees for the individual in accordance with the relevant human rights principles and instruments, in particular the right to life,

Reaffirming that all measures to counter terrorism must be in strict conformity with the relevant provisions of international law including international human rights standards,

1. *Expresses its solidarity* with the victims of terrorism;

2. *Condemns* the violations of the right to live free from fear and of the right to life, liberty and security;

3. *Reiterates its unequivocal condemnation* of the acts, methods and practices of terrorism, in all its forms and manifestations, as aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States, destabilizing legitimately constituted Governments, undermining pluralistic civil society and having adverse consequences for the economic and social development of States;

4. *Calls upon* States to take all necessary and effective measures in accordance with relevant provisions of international law, including international human rights standards, to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomever committed;

5. *Urges* the international community to enhance cooperation at regional and international levels in the fight against terrorism, in accordance with relevant international instruments, including those relating to human rights, with the aim of its eradication;

6. *Condemns* incitement of ethnic hatred, violence and terrorism;

7. *Requests* the Secretary-General to continue to seek the views of Member States on the possible establishment of a voluntary fund for the victims of terrorism, as well as ways and means to rehabilitate the victims of terrorism and to reintegrate them into society;

8. *Also requests* the Secretary-General to seek the views of Member States on the implications of terrorism, in all its forms and manifestations, for the full enjoyment of all human rights and fundamental freedoms and to submit a report on the subject to the General Assembly at its fifty-fourth session;

9. *Decides* to consider this question at its fifty-fourth session under the item entitled "Human rights questions".

70th plenary meeting
12 December 1997

52/134. Enhancement of international cooperation in the field of human rights

The General Assembly,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular in paragraph 3 of Article 1, as well as relevant provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993[351] for enhancing genuine cooperation among Member States in the field of human rights,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, and underlining the importance of the promotion of dialogue on human rights issues,

Taking note of the adoption of resolution 1997/38 of 28 August 1997, entitled "Promotion of dialogue on human rights issues", by the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights at its forty-ninth session,[352]

1. *Welcomes* the statement made by the Chairman of the Commission on Human Rights at its 70th meeting of its fifty-third session, on 18 April 1997;[353]

2. *Calls upon* Member States, intergovernmental organizations and the specialized agencies to continue to carry

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[351] Ibid.

[352] See E/CN.4/1998/2-E/CN.4/Sub.2/1997/50, chap. II, sect. A.

[353] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. III, para. 34.

out constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

3. *Notes with appreciation* that the Commission on Human Rights will keep under review the matter to which the Chairman's statement refers;

4. *Decides* to continue the consideration of this question at its fifty-third session.

70th plenary meeting
12 December 1997

52/135. Situation of human rights in Cambodia

The General Assembly,

Guided by the purposes and principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights[354] and the International Covenants on Human Rights,[355]

Recalling the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, signed in Paris on 23 October 1991,[356] including part III thereof, relating to human rights,

Taking note of Commission on Human Rights resolution 1997/49 of 11 April 1997,[357] and recalling General Assembly resolution 51/98 of 12 December 1996 and previous relevant resolutions, including Commission on Human Rights resolution 1993/6 of 19 February 1993,[358] in which the Commission recommended the appointment of a special representative for human rights in Cambodia, and the subsequent appointment by the Secretary-General of a special representative,

Recognizing that the tragic history of Cambodia requires special measures to assure the promotion and protection of the human rights of all people in Cambodia and the non-return to the policies and practices of the past, as stipulated in the Agreement signed in Paris on 23 October 1991,

Desiring that the United Nations respond positively to assist efforts to investigate Cambodia's tragic history, including responsibility for past international crimes, such as acts of genocide and crimes against humanity,

Welcoming the continuing role of the United Nations High Commissioner for Human Rights in the promotion and protection of human rights in Cambodia,

1. *Requests* the Secretary-General, through his Special Representative for human rights in Cambodia, in collaboration with the office in Cambodia of the United Nations High Commissioner for Human Rights, to assist the Government of Cambodia in ensuring the protection of the human rights of all people in Cambodia, to ensure adequate resources for the enhanced functioning of the operational presence in Cambodia of the Office of the High Commissioner and to enable the Special Representative to continue to fulfil his tasks expeditiously;

2. *Welcomes* the report of the Secretary-General on the situation of human rights in Cambodia,[359] in particular the section concerning the role of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and the people of Cambodia in the promotion and protection of human rights, and encourages the Government of Cambodia to continue to cooperate with the Office;

3. *Takes note with appreciation* of the report of the Special Representative on the situation of human rights in Cambodia,[360] in particular his concerns for a legislative framework for the forthcoming national elections and his concerns about the problem of impunity, the independence of the judiciary and the establishment of the rule of law, the use of torture, the administration of prisons and the ill-treatment of prisoners and child prostitution and trafficking;

4. *Notes with concern* the lack of response by the Government of Cambodia to several of the recommendations contained in the previous reports of the Special Representative, and urges that it respond as soon as possible;

5. *Expresses grave concern* about numerous instances of violations of human rights, including extrajudicial executions, torture, including rape, illegal arrest and detention, as detailed in the reports of the Special Representative and his predecessor, and calls upon the Government of Cambodia to prosecute, in accordance with due process of the law and international standards relating to human rights, all those who have perpetrated human rights violations;

6. *Also expresses grave concern* about the serious violations of human rights committed during the armed violence of early July 1997 and in its aftermath, as reported by the Special Representative and by the office in Cambodia of the United Nations High Commissioner for Human Rights in its memorandum on summary executions, torture and missing persons, and urges the Government of Cambodia as a high priority to investigate thoroughly and impartially and to bring to justice those responsible for such serious crimes;

7. *Notes* that the perpetrators of the violence in Phnom Penh, on 30 March 1997, against a peaceful and lawful

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[354] Resolution 217 A (III).

[355] Resolution 2200 A (XXI), annex.

[356] A/46/608-S/23177, annex; see *Official Records of the Security Council, Forty-sixth Year, Supplement for October, November and December 1991*, document S/23177.

[357] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[358] Ibid., *1993, Supplement No. 3* (E/1993/23), chap. II, sect. A.

[359] A/52/489.

[360] E/CN.4/1997/85.

opposition rally exercising its democratic rights which resulted in numerous deaths and injuries have not been identified and brought to justice, and urges the Government of Cambodia to take action;

8. *Notes with serious concern* the comments of the Special Representative concerning corrupt practices within the judicial system and in the prison administration, and strongly urges the Government of Cambodia to address the problem of corrupt practices and to increase its efforts to create a functioning and impartial system of justice, including convening the Supreme Council of Magistracy, to institute a system to guarantee the essential sustenance of prisoners and to continue its efforts to improve the physical environment of prisons;

9. *Stresses* that addressing the continuing problem of impunity, as detailed by the Special Representative, including the repeal of article 51 of the law on civil servants of 1994 and bringing to justice those responsible for human rights violations, together with ensuring security of persons and rights of association, assembly and expression, is a matter of critical and urgent priority and essential to the creation of an atmosphere conducive to the holding of free, fair and credible elections;

10. *Notes* that national elections are scheduled to be held in May 1998, and strongly urges the Government of Cambodia to promote and uphold the effective functioning of multi-party democracy, including the right to form political parties, to stand for election, to take part freely in a representative Government, as well as the right to freedom of expression and the right to information, in accordance with the principles set out in paragraphs 2 and 4 of annex 5 to the Agreement signed in Paris on 23 October 1991;

11. *Expresses support* for the Secretary-General's efforts in Cambodia, including the role of United Nations offices in monitoring the return of political leaders currently outside the country and their unfettered resumption of political activity, and requests the Secretary-General to continue to consider any request from the Government of Cambodia for assistance with the holding of the elections, including coordination and monitoring;

12. *Welcomes* the proposed measures outlined by the Government of Cambodia in its comments[361] on the report of the Secretary-General to the General Assembly at its fifty-first session[362] to ensure that the forthcoming national elections are free and fair and the assurances given by the Cambodian leaders to the Secretary-General stating their commitment to holding elections and to guaranteeing the security and safety of all returning political leaders, as well as their full resumption of political activities, and expresses the hope that this will facilitate the return of political leaders from abroad;

13. *Emphasizes* the need for the legislative framework for the elections, in accordance with established international standards, to be agreed upon and adopted by the National Assembly, for the security forces to remain neutral during the election campaign, for free and equal access to the electronic and print media, for the individual vote to be confidential, for full cooperation to be given to local and international observers and for all parties to act in a constructive manner and to accept the outcome of the elections;

14. *Strongly encourages* the Government of Cambodia to establish an independent body to supervise the holding of the elections, to ensure that the elections are free, fair and credible and to ensure that the Constitutional Council will be convened in order to resolve election disputes;

15. *Endorses* the comments of the Special Representative that the most serious human rights violations in Cambodia in recent history have been committed by the Khmer Rouge and that their crimes, including the taking and killing of hostages, have continued to the present, and notes with concern that no Khmer Rouge leader has been brought to account for his crimes;

16. *Requests* the Secretary-General to examine the request by the Cambodian authorities for assistance in responding to past serious violations of Cambodian and international law, including the possibility of the appointment, by the Secretary-General, of a group of experts to evaluate the existing evidence and propose further measures, as a means of bringing about national reconciliation, strengthening democracy and addressing the issue of individual accountability;

17. *Urges* the Government of Cambodia to take concrete action to combat child prostitution and trafficking and, in this connection, to work with the office in Cambodia of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund and non-governmental organizations to develop an action plan;

18. *Welcomes* the signature in May 1997 of a memorandum of understanding between the International Labour Organization and the Government of Cambodia to formalize areas of cooperation in the field of child labour;

19. *Encourages* the Government of Cambodia to include Cambodian non-governmental organizations active in the field of human rights in the rehabilitation and reconstruction of Cambodia, and recommends that their skills be drawn upon to assist in ensuring that forthcoming elections are free, fair and credible;

20. *Also encourages* the Government of Cambodia to request the Office of the United Nations High Commissioner for Human Rights to provide advice and technical assistance with respect to the creation of an independent national institution for the promotion and protection of human rights, and looks forward to the establishment of such an institution;

21. *Notes with appreciation* the use by the Secretary-General of the United Nations Trust Fund for a Human Rights Education Programme in Cambodia to finance the programme of activities of the office in Cambodia of the

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[361] A/51/453/Add.1.

[362] A/51/453.

United Nations High Commissioner for Human Rights, as defined in resolutions of the General Assembly and the Commission on Human Rights, and invites Governments, intergovernmental and non-governmental organizations, foundations and individuals to consider contributing funds to the Trust Fund;

22. *Expresses grave concern* about the devastating consequences and destabilizing effects of the use of anti-personnel landmines on Cambodian society, encourages the Government of Cambodia to continue its support and efforts for the removal of these mines, and urges the Government of Cambodia to give priority to banning all anti-personnel landmines;

23. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the role of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and the people of Cambodia in the promotion and protection of human rights and on the recommendations made by the Special Representative on matters within his mandate;

24. *Decides* to continue its consideration of the situation of human rights in Cambodia at its fifty-third session.

70th plenary meeting
12 December 1997

52/136. Right to development

The General Assembly,

Reaffirming the Declaration on the Right to Development,[363] which it proclaimed at its forty-first session, and noting that the Declaration represents a landmark and a meaningful instrument for countries and people worldwide;

Reaffirming also the commitment contained in the Charter of the United Nations to promote social progress and better standards of life in larger freedom,

Recalling its previous resolutions and those of the Commission on Human Rights relating to the right to development,

Also recalling the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[364] which reaffirms the right to development as a universal and inalienable right and as an integral part of fundamental human rights and reaffirms that the human person is the central subject of development,

Emphasizing that development-oriented approaches to the promotion of human rights, as expressed by the Declaration on the Right to Development, constitute an important contribution to the development and strengthening of alternative approaches to the promotion and protection of all human rights,

Recalling that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights, and recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured,

Also recalling that democracy, respect for all human rights and fundamental freedoms, including the right to development, transparent and accountable governance in all sectors of society, as well as effective participation by civil society, are essential parts of the necessary foundation for the realization of social and people-centred sustainable development,

Further recalling the principles proclaimed in the Rio Declaration on Environment and Development of 14 June 1992,[365] and taking note of the deliberations of the General Assembly at its nineteenth special session,

Acknowledging that, in this regard, a number of positive results have been achieved, but deeply concerned that the overall trends with respect to sustainable development are worse today than they were in 1992,

Mindful that the Commission on Human Rights continues to consider this matter and that the second session of the Intergovernmental Group of Experts established by the Commission on Human Rights to elaborate a strategy for the implementation and promotion of the right to development, as set forth in the Declaration on the Right to Development, in its integrated and multidimensional aspects, was held at Geneva from 29 September to 10 October 1997, with a view to further enhancement and implementation of the right to development,

Noting the need for improved coordination and cooperation throughout the United Nations system for more effective promotion and realization of the right to development,

Recognizing that the Office of the United Nations High Commissioner for Human Rights has an important role to play in the promotion, protection and realization of the right to development, including in seeking enhanced support from the relevant bodies of the United Nations system for this purpose,

Reaffirming that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Recognizing that the implementation of the Declaration on the Right to Development requires effective development policies and support at the international level through the effective contribution of States, organs and organizations of the United Nations system and non-governmental organizations active in this field,

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[363] Resolution 41/128, annex.

[364] A/CONF.157/24 (Part I), chap. III.

[365] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*, resolution 1, annex I.

Expressing its concern about the lack of participation of developing countries at the global level in the decision-making process on macroeconomic policy issues, with far-reaching impacts on the world economy and with negative implications for the exercise of the right to development in developing countries,

Reaffirming the need for action by all States at the national and international levels for the realization of all human rights and the need for relevant evaluation mechanisms to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development,

Also reaffirming that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control and to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of developing countries,

Noting that aspects of the Programme of Action of the International Conference on Population and Development, adopted by the Conference on 13 September 1994,[366] the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development, adopted by the Summit on 12 March 1995,[367] the Beijing Declaration and the Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995,[368] and the Istanbul Declaration on Human Settlements and the Habitat Agenda, adopted by the second United Nations Conference on Human Settlements (Habitat II) at Istanbul, Turkey, on 14 June 1996,[369] are relevant to the universal realization of the right to development, within the context of promoting and protecting all human rights,

Affirming the need to apply a gender perspective in the implementation of the right to development, *inter alia*, by ensuring that women play an active role in the development process,

Expressing concern that, more than ten years after the adoption of the Declaration on the Right to Development, obstacles to the realization of the right to development still persist at both the national and international levels and that new obstacles to the rights stated therein have emerged, including, *inter alia*, the negative effects of globalization on the right to development, particularly in developing countries,

Expressing further concern that the Declaration on the Right to Development is insufficiently disseminated and should be taken into account, as appropriate, in bilateral and multilateral cooperation programmes, national development strategies and policies and activities of international organizations,

Having considered the note by the Secretary-General on the right to development,[370] prepared pursuant to General Assembly resolution 51/99 of 12 December 1996,

1. *Takes note* of the note by the Secretary-General;

2. *Reaffirms* the importance of the right to development for every human person and for all peoples in all countries, in particular the developing countries, as an integral part of fundamental human rights, as well as the potential contribution its realization could make to the full enjoyment of human rights and fundamental freedoms;

3. *Recognizes* that the Declaration on the Right to Development[363] constitutes an integral link between the Universal Declaration of Human Rights[371] and the Vienna Declaration and Programme of Action[364] through its elaboration of a holistic vision integrating economic, social and cultural rights with civil and political rights;

4. *Reiterates* its commitment to implementing the results of the World Conference on Human Rights, which reaffirm that all human rights are universal, indivisible, interdependent and interrelated and that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing;

5. *Also reiterates* that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as an equitable economic environment at the international level;

6. *Reaffirms* the need for States to cooperate with a view to promoting, encouraging and strengthening universal respect for and observance of all human rights and fundamental freedoms for all, without any distinction as to race, sex, language or religion;

7. *Stresses* that human rights should not be used as an instrument of trade protectionism;

8. *Takes note* of the importance given to human rights by the Secretary-General in his measures and proposals for the reform of the United Nations,[372] and urges him to give high

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[366] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[367] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[368] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[369] A/CONF.165/14, chap. I, resolution 1, annexes I and II.

[370] A/52/473.

[371] Resolution 217 A (III).

[372] See A/52/303 and Add.1.

priority to the promotion and realization of the right to development;

9. *Calls upon* the Commission on Human Rights to consider carefully the report of the second session of the Intergovernmental Group of Experts to elaborate a strategy for the implementation and promotion of the right to development, as set forth in the Declaration on the Right to Development, in its integrated and multidimensional aspects,[373] bearing in mind the conclusions of the Working Group on the Right to Development established by the Commission on Human Rights in its resolution 1993/22 of 4 March 1993[374] and the conclusions of the World Conference on Human Rights, the United Nations Conference on Environment and Development, the International Conference on Population and Development, the World Summit for Social Development, the Fourth World Conference on Women and the second United Nations Conference on Human Settlements (Habitat II);

10. *Notes* the efforts made by the High Commissioner, within her mandate, and encourages her to continue the coordination of various activities with regard to the implementation of the right to development;

11. *Notes also* that measures taken for the promotion and realization of the right to development should be more effective, and calls upon the High Commissioner to explore further ways and means to achieve this objective;

12. *Requests* the High Commissioner, within her mandate, to continue to take steps for the promotion, protection and realization of the right to development by, *inter alia*, drawing on the expertise of the funds, programmes and the specialized agencies of the United Nations system related to the field of development;

13. *Requests* the Secretary-General to inform the Commission on Human Rights at its fifty-fourth session and the General Assembly at its fifty-third session of the activities of the organizations, funds, programmes and the specialized agencies of the United Nations system for the implementation of the Declaration on the Right to Development, as well as obstacles identified by them to the realization of the right to development;

14. *Calls upon* all Member States to make further concrete efforts at the national and international levels to remove obstacles to the realization of the right to development;

15. *Calls upon* the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration on the Right to Development, including comprehensive and effective measures to eliminate obstacles to its implementation, taking into account the conclusions and recommendations of the Global Consultation on the Realization of the Right to Development as a Human Right,[375] the reports of the Working Group on the Right to Development and the report of the Intergovernmental Group of Experts to elaborate a strategy for the implementation and promotion of the right to development;

16. *Notes* that the fiftieth anniversary of the Universal Declaration of Human Rights is an ideal occasion for the international community to assess the progress achieved in:

(*a*) Realizing freedom from fear and freedom from want as the highest aspiration of the common people;

(*b*) Promoting the advent of a world where the inherent dignity of all members of the human family is recognized;

17. *Affirms*, in the above regard, that the inclusion of the Declaration on the Right to Development in the International Bill of Human Rights[376] would be an appropriate means of celebrating the fiftieth anniversary of the Universal Declaration of Human Rights;

18. *Encourages* all States to address, within the declarations and programmes of action adopted by the relevant international conferences convened by the United Nations, the elements for the promotion and protection of the principles of the right to development as set out in the Declaration on the Right to Development;

19. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-third session;

20. *Decides* to consider this question at its fifty-third session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

70th plenary meeting
12 December 1997

52/137. Situation of human rights in Myanmar

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter of the United Nations and elaborated in the Universal Declaration of Human Rights,[377] the International Covenants on Human Rights[378] and other applicable human rights instruments,

Aware that, in accordance with the Charter, the United Nations promotes and encourages respect for human rights and fundamental freedoms for all and that the Universal

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[373] E/CN.4/1998/29.

[374] See *Official Records of the Economic and Social Council, 1993, Supplement No. 3* (E/1993/23), chap. II, sect. A.

[375] See E/CN.4/1990/Rev.1.

[376] See resolutions 217 A (III), 2200 A (XXI), annex and 44/128, annex.

[377] Resolution 217 A (III).

[378] Resolution 2200 A (XXI), annex.

Declaration of Human Rights states that the will of the people shall be the basis of the authority of government,

Recalling its resolution 51/117 of 12 December 1996,

Recalling also Commission on Human Rights resolution 1992/58 of 3 March 1992,[379] in which the Commission, *inter alia*, decided to nominate a special rapporteur to establish direct contacts with the Government and with the people of Myanmar, including political leaders deprived of their liberty, their families and their lawyers, with a view to examining the situation of human rights in Myanmar and following any progress made towards the transfer of power to a civilian Government and the drafting of a new constitution, the lifting of restrictions on personal freedoms and the restoration of human rights in Myanmar,

Taking note of Commission on Human Rights resolution 1997/64 of 16 April 1997,[380] in which the Commission decided to extend for one year the mandate of its Special Rapporteur on the situation of human rights in Myanmar,

Noting with concern that the Government of Myanmar has not yet agreed to a visit by the Special Rapporteur,

Gravely concerned that the Government of Myanmar still has not implemented its commitment to take all necessary steps towards democracy in the light of the results of the elections held in 1990,

Gravely concerned also about the travel and other restrictions placed on Aung San Suu Kyi and other political leaders, the continued arrests and harassment of members and supporters of the National League for Democracy, trade unionists and students for peacefully exercising their right to freedom of expression, assembly and association, the forced resignations of elected representatives and the long closure of all universities and colleges following the student demonstrations in December 1996,

Recalling the withdrawal and subsequent exclusion from the National Convention of members of the National League for Democracy, late in 1995,

Welcoming the contact between the Government of Myanmar and political parties, in particular the National League for Democracy, but regretting the failure of the Government of Myanmar to engage in a substantive political dialogue with Aung San Suu Kyi and other political leaders, including representatives of ethnic groups,

Gravely concerned at the continuing violations of human rights in Myanmar, as reported by the Special Rapporteur, including extrajudicial, summary or arbitrary executions, killings of civilians, torture, arbitrary arrest and detention, deaths in custody, absence of due process of law, including trial of detainees in secrecy without proper legal representation, severe restrictions on freedom of opinion, expression, assembly and association, violations of freedom of movement, forced relocation, forced labour of children as well as adults, including portering for the military, abuse of women and children by government agents and the imposition of oppressive measures directed, in particular, at ethnic and religious minorities,

Recalling the observation made by the Special Rapporteur that the absence of respect for the rights pertaining to democratic governance is at the root of all the major violations of human rights in Myanmar,

Recalling also the conclusion of ceasefire agreements between the Government of Myanmar and several ethnic groups,

Noting that the human rights situation in Myanmar has resulted in flows of refugees to neighbouring countries, thus creating problems for the countries concerned,

1. *Expresses its appreciation* to the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Myanmar for his interim report,[381] and urges the Government of Myanmar to cooperate fully with the Special Rapporteur and to ensure his access to Myanmar, without preconditions, in order to allow him fully to discharge his mandate;

2. *Also expresses its appreciation* to the Secretary-General for his report;[382]

3. *Deplores* the continuing violations of human rights in Myanmar;

4. *Notes* that Nobel Peace Prize Laureate Aung San Suu Kyi was allowed to travel to the Thaketa township office of the National League for Democracy to peacefully conduct normal political activities on 21 October 1997, but was subsequently prevented from attending party meetings of the League, on 5 November 1997 in Tamwe township and on 13 November 1997 in Hlaing township, and requests the Government of Myanmar to permit unrestricted communication with and physical access to Aung San Suu Kyi and other political leaders by members and supporters of the League and to protect their physical well-being;

5. *Strongly urges* the Government of Myanmar to release, immediately and unconditionally, detained political leaders and all political prisoners, to ensure their physical integrity and to permit them to participate in the process of national reconciliation;

6. *Urges* the Government of Myanmar to pursue its contacts with the National League for Democracy with a view to engaging, at the earliest possible date, in a substantive political dialogue with the General Secretary of the League, Aung San Suu Kyi, and other political leaders, including representatives of ethnic groups, as the best means of

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[379] See *Official Records of the Economic and Social Council, 1992, Supplement No. 2* (E/1992/22), chap. II, sect. A.

[380] Ibid., *1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[381] A/52/484, annex.

[382] A/52/587.

promoting national reconciliation and the full and early restoration of democracy;

7. *Welcomes* the visits to Myanmar in the first half of 1997 by the Envoy of the Secretary-General and the Director of the East Asia and the Pacific Division of the Department of Political Affairs of the Secretariat for the purpose of discussions with the Government and with Aung San Suu Kyi and other political leaders, and encourages the Government of Myanmar to broaden its dialogue with the Secretary-General and to facilitate access by his representatives to the political leaders in Myanmar;

8. *Again urges* the Government of Myanmar, in conformity with its assurances given at various times, to take all necessary steps towards the restoration of democracy in accordance with the will of the people, as expressed in the democratic elections held in 1990, and to ensure that political parties and non-governmental organizations can function freely;

9. *Welcomes* the holding of the Ninth Anniversary Conference of the National League for Democracy on 27 and 28 September 1997;

10. *Expresses its concern* that most of the representatives duly elected in 1990 are still excluded from participating in the meetings of the National Convention, created to prepare basic elements for the drafting of a new constitution, and that one of the objectives of the Convention is to maintain the participation of the armed forces in a leading role in the future political life of the State, notes also with concern that the composition and working procedures of the National Convention do not permit the elected representatives of the people freely to express their views, and concludes that the National Convention does not appear to constitute the necessary step towards the restoration of democracy;

11. *Strongly urges* the Government of Myanmar to take all appropriate measures to allow all citizens to participate freely in the political process, in accordance with the principles of the Universal Declaration of Human Rights, and to accelerate the process of transition to democracy, in particular through the transfer of power to democratically elected representatives;

12. *Also strongly urges* the Government of Myanmar to ensure full respect for human rights and fundamental freedoms, including freedom of expression and assembly, the right to a fair trial and the protection of the rights of persons belonging to ethnic and religious minorities, to put an end to violations of the right to life and integrity of the human being, to the practices of torture, abuse of women, forced labour and forced relocations and to enforced disappearances and summary executions, to fulfil its obligation to end the impunity of perpetrators of human rights violations, including members of the military, and to investigate and prosecute alleged violations committed by government agents in all circumstances;

13. *Calls upon* the Government of Myanmar to implement fully the recommendations made by the Special Rapporteur;

14. *Welcomes* the accession by the Government of Myanmar, on 22 July 1997, to the Convention on the Elimination of All Forms of Discrimination against Women;[383]

15. *Appeals* to the Government of Myanmar to consider becoming a party to the International Covenant on Civil and Political Rights,[378] the International Covenant on Economic, Social and Cultural Rights[378] and the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment;[384]

16. *Strongly urges* the Government of Myanmar to fulfil its obligations with regard to the Convention on the Rights of the Child,[385] as set out in the concluding comments of the Committee on the Rights of the Child in its report on its fourteenth session;[386]

17. *Also strongly urges* the Government of Myanmar to fulfil its obligations as a State party to the Forced Labour Convention, 1930 (No. 29), and the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), of the International Labour Organization, and encourages the Government of Myanmar to cooperate more closely with the International Labour Organization, in particular with the Commission of Inquiry appointed in accordance with article 26 of the Constitution of the International Labour Organization;

18. *Stresses* the importance for the Government of Myanmar to give particular attention to improving the conditions in the country's jails and to allow the competent international humanitarian organization to communicate freely and confidentially with prisoners;

19. *Calls upon* the Government of Myanmar and other parties to the hostilities in Myanmar to respect fully the obligations under international humanitarian law, including article 3 common to the Geneva Conventions of 12 August 1949,[387] to halt the use of weapons against the civilian population, to protect all civilians, including children, women and persons belonging to ethnic or religious minorities, from violations of humanitarian law and to avail itself of such services as may be offered by impartial humanitarian bodies;

20. *Encourages* the Government of Myanmar to create the necessary conditions to ensure an end to the movements of refugees to neighbouring countries and to create conditions conducive to their voluntary return and their full reintegration, in conditions of safety and dignity;

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[383] Resolution 34/180, annex.

[384] Resolution 39/46, annex.

[385] Resolution 44/25, annex.

[386] CRC/C/62, paras. 135-182.

[387] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

21. *Requests* the Secretary-General to continue his discussions with the Government of Myanmar in order to assist in the implementation of the present resolution and to report to the General Assembly at its fifty-third session and to the Commission on Human Rights at its fifty-fourth session;

22. *Decides* to continue its consideration of this question at its fifty-third session.

70th plenary meeting
12 December 1997

52/138. Human rights in Haiti

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights[388] and the International Covenants on Human Rights,[389]

Recalling its resolution 51/110 of 12 December 1996, and taking note of Commission on Human Rights resolution 1997/52 of 15 April 1997,[390]

Recognizing the interdependence and the mutual reinforcement between democracy, development and respect for human rights and fundamental freedoms and the commitment of the international community to supporting, strengthening and promoting this principle,

Taking note of the reports of the independent expert of the Commission on Human Rights on the situation of human rights in Haiti, Mr. Adama Dieng,[391] who was appointed to assist the Government of Haiti to consider the development of the human rights situation in Haiti and to verify its compliance with its obligations in that field, and the recommendations contained therein,

Welcoming and bearing in mind the report of the Secretary-General on the implementation of the programme of technical cooperation aimed at strengthening the institutional capacity of Haiti in the field of human rights,[392]

Recognizing the important contributions of the International Civilian Mission to Haiti, the United Nations Support Mission in Haiti, the United Nations Transition Mission in Haiti and the National Commission for Truth and Justice to the establishment of a climate of freedom and tolerance propitious to the respect for human rights and the restoration and spread of democracy in Haiti,

Welcoming the renewal by the General Assembly, in its resolution 51/196 B of 31 July 1997, of the mandate of the International Civilian Mission to Haiti,

Welcoming also the efforts of the Government to improve the situation of human rights in Haiti, and noting the policy statements by Haitian authorities that the Government of Haiti remains committed to upholding human rights and improving accountability,

Expressing the hope that the Haitian people will shortly be able to express themselves once again through free, honest and transparent elections,

Expressing concern at the continuing problem of common crime, and noting the ongoing need for technical training of the Haitian National Police and for the strengthening of the judicial system,

1. *Expresses its thanks* to the Secretary-General, to his Special Representative for Haiti and to the independent expert of the Commission on Human Rights on the situation of human rights in Haiti for their continuing efforts in favour of the consolidation of democratic institutions in Haiti and the respect for human rights in that country;

2. *Welcomes* the report of the National Commission for Truth and Justice, as well as the reports of the International Civilian Mission to Haiti on Haitian justice and on respect for human rights by the Haitian National Police, and urges the Government of Haiti, with the support of the international community, to take appropriate follow-up action on the recommendations contained in those reports;

3. *Requests* the Government of Haiti to publish the complete report of the National Commission for Truth and Justice and to make it widely available throughout the country, as well as to initiate legal action in serious cases;

4. *Expresses concern* at the security problems faced by Haitian society, which contribute to the shortcomings of the judicial system and the police apparatus, as noted in the reports of the independent expert;[391]

5. *Supports* the reform of the judicial system currently being carried out by the Government of Haiti, which includes training in international humanitarian law and human rights, and emphasizes the priority of that reform in the framework of the bilateral and multilateral assistance provided by the international community, including that of the United Nations Development Programme;

6. *Welcomes* the establishment of the programme of technical cooperation prepared by the Office of the United Nations High Commissioner for Human Rights, aimed at strengthening institutional capacity in the field of human rights, in particular in the areas of legislative reform, training of justice administration personnel and human rights education, and requests the Secretary-General to submit a report on the implementation of the programme to the General Assembly at its fifty-third session;

7. *Invites* the international community, including the Bretton Woods institutions, to continue their involvement in the reconstruction and development of Haiti, having regard for

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[388] Resolution 217 A (III).

[389] Resolution 2200 A (XXI), annex.

[390] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[391] E/CN.4/1997/89 and A/52/499.

[392] A/52/515.

the fragility of the political, social and economic situation of the country;

8. *Encourages* the Government of Haiti to ratify the International Covenant on Economic, Social and Cultural Rights,[389] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[393] and the Optional Protocols to the International Covenant on Civil and Political Rights;[394]

9. *Once again invites* the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences to consider favourably the invitation to visit the country extended to her by the Government of Haiti;

10. *Decides* to continue its consideration of the situation of human rights and fundamental freedoms in Haiti at its fifty-third session.

70th plenary meeting
12 December 1997

52/139. Situation of human rights in Kosovo

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[395] the International Covenants on Human Rights[396] and other human rights instruments,

Taking note with concern of the reports on the situation of human rights in Bosnia and Herzegovina,[397] the Republic of Croatia[398] and the Federal Republic of Yugoslavia[399] submitted by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia, which describe the continuing grave human rights situation in Kosovo,

Noting with regret that a memorandum of understanding on the educational system in Kosovo, signed in 1996, has not yet been implemented, and calling for full and immediate implementation of that memorandum,

Noting with concern the use of force by Serbian police against peaceful Albanian student protesters of Kosovo on 1 October 1997 and the failure of the Government of the Federal Republic of Yugoslavia to make reasonable accommodation to address the legitimate grievances of the students,

1. *Expresses its deep concern* about all violations of human rights and fundamental freedoms in Kosovo, in particular the repression of the ethnic Albanian population and discrimination against it, as well as acts of violence in Kosovo;

2. *Calls upon* the authorities of the Federal Republic of Yugoslavia:

(*a*) To take all necessary measures to bring to an immediate end all human rights violations against ethnic Albanians in Kosovo, including, in particular, discriminatory measures and practices, arbitrary searches and detention, the violation of the right to a fair trial and the practice of torture and other cruel, inhuman or degrading treatment, and to revoke all discriminatory legislation, in particular that which has entered into force since 1989;

(*b*) To release all political prisoners and to cease the persecution of political leaders and members of local human rights organizations;

(*c*) To allow the return in safety and dignity of Albanian refugees from Kosovo to their homes;

(*d*) To allow the establishment of genuine democratic institutions in Kosovo, including the parliament and the judiciary, and to respect the will of its inhabitants as the best means of preventing the escalation of the conflict there;

(*e*) To allow the reopening of the educational, cultural and scientific institutions of the ethnic Albanians;

3. *Urges* the authorities of the Federal Republic of Yugoslavia to pursue constructive dialogue with the representatives of the ethnic Albanians of Kosovo;

4. *Welcomes* the visits to Kosovo of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia and her relevant reports,[399] and calls upon her to continue to monitor closely the human rights situation in Kosovo and to continue to pay due attention to that matter in her reporting;

5. *Urges* the authorities of the Federal Republic of Yugoslavia to allow the immediate unconditional return of the mission of long duration of the Organization for Security and Cooperation in Europe to Kosovo, as called for in Security Council resolution 855 (1993) of 9 August 1993;

6. *Welcomes* the report of the Secretary-General on the situation of human rights in Kosovo,[400] submitted pursuant to General Assembly resolution 51/111 of 12 December 1996, and requests him to continue his efforts to seek ways and means, including through consultations with the United Nations High Commissioner for Human Rights and relevant regional organizations, to establish an adequate international monitoring presence in Kosovo and to report thereon to the Assembly at its fifty-third session;

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[393] Resolution 39/46, annex.

[394] See resolutions 2200 A (XXI), annex and 44/128, annex.

[395] Resolution 217 A (III).

[396] Resolution 2200 A (XXI), annex.

[397] E/CN.4/1998/13; see also A/52/490.

[398] E/CN.4/1998/14; see also A/52/490.

[399] E/CN.4/1998/15; see also A/52/490.

[400] A/52/502.

7. *Encourages* the Secretary-General to pursue his humanitarian efforts in the former Yugoslavia, in liaison with the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund and other appropriate humanitarian organizations, with a view to taking urgent practical steps to tackle the critical needs of the people in Kosovo, and to assist in the voluntary return of displaced persons to their homes in conditions of safety and dignity;

8. *Emphasizes* the importance of laws and regulations concerning citizenship applied by the authorities of the Federal Republic of Yugoslavia being in accordance with the standards and principles of non-discrimination, equal protection before the law and the reduction and avoidance of statelessness, as set out in the relevant international human rights instruments;

9. *Also emphasizes* that improvements in the promotion and protection of human rights and fundamental freedoms in Kosovo will assist the Federal Republic of Yugoslavia to establish the full range of relations with the international community;

10. *Decides* to continue the examination of the situation of human rights in Kosovo at its fifty-third session under the item entitled "Human rights questions".

70th plenary meeting
12 December 1997

52/140. Situation of human rights in the Sudan

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[401] the International Covenants on Human Rights,[402] the International Convention on the Elimination of All Forms of Racial Discrimination[403] and the Convention on the Rights of the Child,[404]

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to comply with the obligations laid down in the various instruments in this field,

Recalling the obligation of all parties to respect international humanitarian law,

Also recalling its resolution 51/112 of 12 December 1996, and taking note of Commission on Human Rights resolution 1997/59 of 15 April 1997,[405]

Noting with deep concern the human rights violations and breaches of international humanitarian law outlined in resolution 1997/59, including the aerial bombardment of civilians, slavery, slave trade, extrajudicial killings, arbitrary arrests, detentions without due process, enforced or involuntary disappearances, violations of the rights of women and children, forced displacement of persons, systematic torture and denial of the freedoms of religion, expression, association and peaceful assembly,

Expressing serious concern about continuing reports of religious persecution, including forced conversion of Christians and animists in Government-controlled areas of the Sudan,

Welcoming the visit to the Sudan by the Special Rapporteur of the Commission on Human Rights on the elimination of all forms of religious intolerance and of discrimination based on religion or belief,[406]

Especially concerned about the continuing reports of the abuse of children, including slavery, sexual abuse, forced conversion and the use of children as soldiers, despite repeated calls from the international community to put an end to this practice, as described in the interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Sudan,[407]

Deeply concerned about policies, practices and activities which are directed against and particularly violate the human rights of women and girls, and noting the continuation of such practices, including civil and judicial discrimination against women, as reported by the Special Rapporteur,

Gravely concerned about reports that those practices have frequently been carried out by agents under government authority or have taken place with the knowledge of the Government of the Sudan,

Taking note of efforts reported by the Government of the Sudan to investigate such activities and practices, as well as measures proposed to eliminate verified instances of them, as urged in previous General Assembly resolutions,

Welcoming new practices regarding street children, which centre on rehabilitation and family reunification and the increasing involvement of the United Nations Children's Fund in projects with the Government of the Sudan,

Also welcoming the invitation extended by the Government of the Sudan to the Special Rapporteur of the Commission on Human Rights on the promotion and protection of the right to freedom of opinion and expression and to the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights, and urging that the visit to the Sudan by the Special Rapporteur take place as soon as possible,

Further welcoming the support extended by the Government of the Sudan to the visit by a delegation of the

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[401] Resolution 217 A (III).

[402] Resolution 2200 A (XXI), annex.

[403] Resolution 2106 A (XX), annex.

[404] Resolution 44/25, annex.

[405] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[406] See A/52/477, annex and A/52/477/Add.1, annex.

[407] A/52/510, annex.

African Commission on Human and Peoples' Rights in December 1996,

Noting the establishment by the Government of the Sudan of national committees for human rights education, and encouraging the Office of the United Nations High Commissioner for Human Rights to take into consideration requests for assistance by the Government of the Sudan, including assistance to help those committees to improve the observance of human rights in the Sudan,

Welcoming the establishment by the Consultative Council for Human Rights of subcommittees on detentions without trial, arrests, torture and lack of due process of law, religious persecution, forced displacement and bombardments, extrajudicial killings, access for relief organizations and humanitarian law, slavery and disappearances, the rights of women, the rights of the child and freedom of expression and peaceful assembly,

Taking note of the long-overdue report by the Government of the Sudan on the summary execution of aid workers in Juba in 1992,[408] and regretting that it did not provide any evidence that a fair trial was given,

Also noting the work of the Special Investigation Committee on Allegations of Enforced or Involuntary Disappearances and Reported Cases of Slavery,

Concerned that the continuation of civil war in the Sudan has caused the internal displacement of a large number of persons, including ethnic minorities, has resulted in the indiscriminate bombing and shelling of civilian targets and has been marked by gross violations of human rights by the Government of the Sudan and by lack of respect of international humanitarian law by all parties to the conflict,

Encouraged by the joint announcement by the Government of the Sudan and the Sudanese People's Liberation Movement that they are engaged in peace talks, scheduled to resume early in 1998 under the sponsorship of the Intergovernmental Authority on Development, and the acceptance by all parties of the Declaration of Principles as the basis for negotiation,

1. *Expresses deep concern* at the serious, widespread and continuing human rights violations in the Sudan, including extrajudicial killings and summary executions, detentions without due process, violations of the rights of women and children, forced displacement of persons, enforced or involuntary disappearances, torture and other forms of cruel and unusual punishment, slavery, practices similar to slavery and forced labour, denial of the freedoms of expression, association and peaceful assembly and discrimination based on religion;

2. *Expresses its outrage* at the use by all parties to the conflict of military force to disrupt or attack relief efforts, and calls for an end to such practices and for those responsible for such actions to be brought to justice;

3. *Calls upon* the Government of the Sudan to comply with applicable international human rights instruments to which the Sudan is a party, in particular the International Covenants on Human Rights,[402] the International Convention on the Elimination of All Forms of Racial Discrimination,[403] the Convention on the Rights of the Child,[404] the Slavery Convention, as amended,[409] and the supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery,[410] to implement those instruments to which it is a party and to ensure that all individuals in its territory and subject to its jurisdiction, including members of all religious and ethnic groups, enjoy fully the rights recognized in those instruments;

4. *Encourages* the Special Investigation Committee on Allegations of Enforced or Involuntary Disappearances and Reported Cases of Slavery to redouble its efforts to comply with previous General Assembly resolutions in which the Assembly urged the Government of the Sudan to ensure that all cases of slavery, servitude, slave trade, forced labour and similar practices brought to its attention are investigated and all appropriate measures are implemented to put an immediate end to those practices;

5. *Urges* the Government of the Sudan to publicize the existence and activities of the Special Investigation Committee, to guarantee that those who provide information to it will not suffer any negative consequences as a result and to involve local authorities in its activities;

6. *Also urges* the Government of the Sudan to provide adequate security for all special rapporteurs and to live up to its pledge to provide logistical support to national, regional and international organizations that join the investigations of alleged cases of involuntary disappearance and slavery;[411]

7. *Further urges* the Government of the Sudan and all parties to the conflict to grant international human rights and humanitarian organizations and independent observers free and unimpeded access to all areas where violations have been reported;

8. *Continues to urge* the placement of human rights monitors, within existing resources, in such locations as will facilitate improved information flow and assessment and independent verification of reports, with particular attention to violations and abuses of human rights in areas of armed conflict, as recommended by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Sudan;[412]

9. *Calls upon* parties to the hostilities to respect fully the applicable provisions of international humanitarian law, including article 3 common to the Geneva Conventions of 12

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[408] Ibid., paras. 41-46.

[409] United Nations, *Treaty Series*, vol. 212, No. 2861.

[410] Ibid., vol. 266, No. 3822.

[411] See A/52/510, para. 73.

[412] Ibid., para. 75.

August 1949,[413] and the Additional Protocols thereto, of 1977,[414] to halt the use of weapons against the civilian population and to protect all civilians, including women, children and members of ethnic and religious minorities, from violations, including forcible displacement, arbitrary detention, ill-treatment, torture and summary executions, and deplores the consequences for innocent civilians of the use of landmines by government and rebel forces alike;

10. *Again calls upon* the Government of the Sudan and all parties to allow Operation Lifeline Sudan, international agencies, humanitarian organizations and donor Governments unimpeded access to civilian populations to deliver humanitarian assistance;

11. *Expresses its hope* that all parties to the civil war will negotiate seriously at the peace talks sponsored by the Intergovernmental Authority on Development when they resume at Nairobi early in 1998, with the view that an end to the civil war would be an important first step towards the elimination of human rights violations in the Sudan;

12. *Urges* the Government of the Sudan to release all political detainees, to cease all acts of torture and cruel, inhuman or degrading treatment, to close down all clandestine or unacknowledged detention centres, to ensure that all accused persons are held in ordinary police or prison custody where family members and lawyers can visit them and to ensure that such persons receive prompt, just and fair trials under internationally recognized standards;

13. *Again urges* Sudanese authorities to take all steps necessary to respect the human rights of persons belonging to the most vulnerable groups in the society, the women, children and ethnic and religious minorities living in the conflict zones, as recommended by the Special Rapporteur;[415]

14. *Calls* for an immediate halt to the inhumane and unjustified practice of aerial bombardment of civilian targets by the Government of the Sudan;

15. *Welcomes* the promise given by the Government of the Sudan to the Special Envoy of the Secretary-General for Humanitarian Affairs in the Sudan to allow relief flights unimpeded access to people in need, and expresses its hope that such flights will now be permitted to take place without danger or obstacles;

16. *Encourages* the Government of the Sudan to work actively for the eradication of practices which are directed against and particularly violate the human rights of women and girls, especially in the light of the Beijing Declaration and the Platform for Action adopted by the Fourth World Conference on Women;[416]

17. *Welcomes* the most recent visit by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Sudan and his interim report on the situation of human rights in the Sudan;[407]

18. *Extends its full support* to the Special Rapporteur, and encourages him to continue to pursue a broad dialogue with the Government of the Sudan and all other parties which he deems relevant to the situation of human rights in the Sudan, with a view to addressing the concerns expressed in the relevant resolutions of the General Assembly and the Commission on Human Rights, and to visit the Sudan and to travel in the Sudan, as necessary;

19. *Encourages* visits to the Sudan by the Special Rapporteur of the Commission on Human Rights on the promotion and protection of the right to freedom of opinion and expression and the Working Group on Contemporary Forms of Slavery of the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights, who have both been invited by the Government of the Sudan, and requests both to report to the Commission and to the General Assembly on their findings;

20. *Welcomes* the decision of the Commission on Human Rights to extend the mandate of the Special Rapporteur on the situation of human rights in the Sudan for an additional year;

21. *Requests* the Secretary-General to continue to provide the Special Rapporteur with all necessary assistance, within existing resources, in the discharge of his mandate;

22. *Recommends* the continued monitoring of the serious human rights situation in the Sudan, urges continuation of the regional efforts to end the hostilities and human suffering in the south, and invites the Commission on Human Rights, at its fifty-fourth session, to give urgent attention to the situation of human rights in the Sudan;

23. *Decides* to continue its consideration of this question at its fifty-third session.

70th plenary meeting
12 December 1997

52/141. Situation of human rights in Iraq

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights,[417] the International Covenants on Human Rights[418] and other applicable human rights instruments,

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[413] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[414] Ibid., vol. 1125, Nos. 17512 and 17513.

[415] A/51/490, para. 52 (*d*).

[416] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No.E.96.IV.13), resolution 1, annexes I and II.

[417] Resolution 217 A (III).

[418] Resolution 2200 A (XXI), annex.

Mindful that Iraq is a party to the International Covenants on Human Rights, to other international human rights instruments and to the Geneva Conventions of 12 August 1949[419] on the protection of victims of war,

Recalling previous resolutions of the General Assembly and the Commission on Human Rights on the subject, and taking note of the most recent, Commission on Human Rights resolution 1997/60 of 16 April 1997,[420]

Taking note of the concluding observations of the Human Rights Committee following the Committee's consideration of the fourth periodic report of Iraq[421] under the International Covenant on Civil and Political Rights,[418]

Recalling Security Council resolution 688 (1991) of 5 April 1991, in which the Council demanded an end to the repression of the Iraqi civilian population and insisted that Iraq cooperate with international humanitarian organizations and that the human rights of all Iraqi citizens be respected; Security Council resolution 686 (1991) of 2 March 1991, in which the Council called upon Iraq to release all Kuwaitis and nationals of other States who might still be held in detention; Security Council resolutions 687 (1991) of 3 April 1991 and 986 (1995) of 14 April 1995, by which the Council authorized States to permit imports of Iraqi oil in order to allow Iraq to purchase humanitarian supplies, as well as Security Council resolutions 1111 (1997) of 4 June 1997 and 1129 (1997) of 12 September 1997,

1. *Welcomes* the interim report on the situation of human rights in Iraq submitted by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Iraq[422] and the observations, conclusions and recommendations contained therein, and noting that there has been no improvement in the situation of human rights in the country;

2. *Strongly condemns*:

(*a*) The massive and extremely grave violations of human rights and of international humanitarian law by the Government of Iraq, which have resulted in an all-pervasive repression and oppression sustained by broad-based discrimination and widespread terror;

(*b*) Suppression of freedom of thought, expression, religion, information, association, assembly and movement through fear of arrest, imprisonment and other sanctions, including the death penalty;

(*c*) Summary and arbitrary executions, including political killings, enforced or involuntary disappearances, routinely practised arbitrary arrests and detention and consistent and routine failure to respect due process and the rule of law;

(*d*) Widespread, systematic torture in its most cruel forms, the enactment and implementation of decrees prescribing cruel and inhuman punishment, namely mutilation, as a penalty for offences and the diversion of medical care services for such mutilations;

3. *Calls upon* the Government of Iraq:

(*a*) To abide by its freely undertaken obligations under international human rights treaties and international humanitarian law and to respect and ensure the rights of all individuals, irrespective of their origin, ethnicity, gender or religion, within its territory and subject to its jurisdiction;

(*b*) To bring the actions of its military and security forces into conformity with the standards of international law, in particular those of the International Covenant on Civil and Political Rights;[418]

(*c*) To cooperate with United Nations human rights mechanisms, in particular by receiving a return visit by the Special Rapporteur of the Commission on Human Rights to Iraq and allowing the stationing of human rights monitors throughout Iraq pursuant to the relevant resolutions of the General Assembly and the Commission on Human Rights;

(*d*) To restore the independence of the judiciary and to abrogate all laws granting impunity to specified forces or persons killing or injuring individuals for any purpose beyond the administration of justice under the rule of law as prescribed by international standards;

(*e*) To abrogate all decrees that prescribe cruel and inhuman punishment or treatment and to ensure that torture and cruel punishment and treatment no longer occur;

(*f*) To abrogate all laws and procedures, including Revolution Command Council Decree No. 840 of 4 November 1986, that penalize free expression and to ensure that the genuine will of the people shall be the basis of the authority of the State;

(*g*) To cooperate with the Tripartite Commission to establish the whereabouts and resolve the fate of the remaining several hundred missing persons, including prisoners of war, Kuwaiti nationals and third-country nationals victims of the illegal Iraqi occupation of Kuwait, to cooperate with the Working Group on Enforced or Involuntary Disappearances of the Commission on Human Rights for that purpose and to pay compensation to the families of those who died or disappeared in the custody of the Iraqi authorities through the mechanism established by the Security Council in its resolution 692 (1991) of 20 May 1991;

(*h*) To cease immediately its repressive practices aimed at the Iraqi Kurds in the north, Assyrians, Shi'a, Turkomen, the population of the southern marsh areas, where drainage projects have provoked environmental destruction and a deterioration of the situation of the civilian population, and other ethnic and religious groups;

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[419] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[420] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[421] CCPR/C/103/Add.2.

[422] A/52/476.

(*i*) To put an end without delay to the enforced displacement of persons;

(*j*) To cooperate with international aid agencies and non-governmental organizations to provide humanitarian assistance and monitoring in the northern and southern areas of the country;

(*k*) To release immediately all Kuwaitis and nationals of other States who may still be held in detention;

(*l*) To ensure equitable distribution, without discrimination, to the Iraqi population of the humanitarian supplies purchased with the proceeds of Iraqi oil, in implementation of Security Council resolutions 986 (1995), 1111 (1997) and 1129 (1997) and the memorandum of understanding on this issue concluded with the Secretary-General in May 1996, and to cooperate with international humanitarian agencies for the provision, without discrimination, of relief to those in need throughout Iraq;

(*m*) To cooperate in the identification of minefields existing throughout Iraq with a view to facilitating their marking and eventual clearing;

(*n*) To continue to cooperate in the implementation of Security Council resolutions 986 (1995) and 1111 (1997) and to continue to facilitate the work of United Nations humanitarian personnel in Iraq by ensuring the free and unobstructed movement of observers throughout the country;

4. *Requests* the Secretary-General to provide the Special Rapporteur with all necessary assistance in carrying out his mandate and to approve the allocation of sufficient human and material resources for the sending of human rights monitors to such locations as would facilitate improved information flow and assessment and help in the independent verification of reports on the situation of human rights in Iraq;

5. *Decides* to continue the examination of the situation of human rights in Iraq at its fifty-third session under the item entitled "Human rights questions", in the light of additional elements provided by the Commission on Human Rights.

70th plenary meeting
12 December 1997

52/142. Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Reaffirming that all States Members of the United Nations have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights,[423] the International Covenants on Human Rights[424] and other applicable human rights instruments,

Mindful that the Islamic Republic of Iran is a party to the International Covenants on Human Rights,

Recalling previous resolutions of the General Assembly and the Commission on Human Rights on the subject, and taking note of the most recent, Commission on Human Rights resolution 1997/54 of 15 April 1997,[425]

1. *Welcomes* the report of the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran;[426]

2. *Notes with interest* that presidential elections were held in the Islamic Republic of Iran in 1997, and calls upon the Government to meet expectations for tangible progress concerning human rights and fundamental freedoms of all individuals;

3. *Expresses its concern*:

(*a*) At the continuing violations of human rights in the Islamic Republic of Iran, in particular the large and increasing number of executions in the apparent absence of respect for internationally recognized safeguards, cases of torture and cruel, inhuman or degrading treatment or punishment, including stoning, amputation and public executions, the failure to meet international standards in the administration of justice and the absence of due process of law;

(*b*) At the grave breaches of the human rights of the Baha'is, the discrimination against members of other religious minorities, including Christians, and the death sentences pronounced against Dhabihullah Mahrami, Musa Talibi and Ramadan-Ali Dhulfaqari, on the charge of apostasy, and against Bihnam Mithaqi and Kayvan Khalajabadi because of their beliefs;

(*c*) At the lack of continuity in the cooperation of the Government with the mechanisms of the Commission on Human Rights;

(*d*) At the continuing threats to the life of Salman Rushdie, as well as to individuals associated with his work, which appear to have the support of the Government of the Islamic Republic of Iran, and deeply regrets the increase announced in the bounty offered for the assassination of Mr. Rushdie by the 15 Khordad Foundation;

(*e*) At violations of the right to peaceful assembly and restrictions on the freedoms of expression, thought, opinion and the press, as well as at the harassment and intimidation of writers and journalists seeking to exercise their freedom of expression, the sentencing of the writer Faraj Sarkuhi being only the most recent example of such unacceptable practices;

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[423] Resolution 217 A (III).

[424] Resolution 2200 A (XXI), annex.

[425] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[426] A/52/472, annex.

(*f*) At the lack of full and equal enjoyment by women of human rights, while noting efforts to integrate women more fully into the political, economic and cultural life of the country;

4. *Calls upon* the Government of the Islamic Republic of Iran:

(*a*) To resume its cooperation with the mechanisms of the Commission on Human Rights, in particular with the Special Representative to allow him to continue his inquiry at first hand and to continue his dialogue with the Government;

(*b*) To abide by its freely undertaken obligations under the International Covenants on Human Rights and under other international instruments on human rights and to ensure that all individuals within its territory and subject to its jurisdiction, including members of religious groups and persons belonging to minorities, enjoy all the rights enshrined in those instruments;

(*c*) To implement fully the conclusions and recommendations of the Special Rapporteur of the Commission on Human Rights on the elimination of all forms of religious intolerance and of discrimination based on religion or belief relating to the Baha'is and to other minority religious groups, including Christians, until they are completely emancipated;[427]

(*d*) To take effective measures to eliminate human rights violations against women, including all discrimination in law and in practice against them;

(*e*) To refrain from violence against members of the Iranian opposition living abroad and to cooperate wholeheartedly with the authorities of other countries in investigating and prosecuting offences reported by them;

(*f*) To provide satisfactory written assurances that it does not support or incite threats to the life of Mr. Rushdie;

(*g*) To ensure that capital punishment will not be imposed for apostasy or non-violent crimes or in disregard of the provisions of the International Covenant on Civil and Political Rights[424] and United Nations safeguards;

5. *Decides* to continue the examination of the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups such as the Baha'is, at its fifty-third session under the item entitled "Human rights questions", in the light of additional elements provided by the Commission on Human Rights.

70th plenary meeting
12 December 1997

52/143. Situation of human rights in Cuba

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter of the United Nations and elaborated in the Universal Declaration of Human Rights[428] and other applicable human rights instruments,

Reaffirming also that all States have an obligation to fulfil the commitments they have freely undertaken under the various international instruments,

Taking particular note of Commission on Human Rights resolution 1997/62 of 16 April 1997,[429] in which the Commission commended the Special Rapporteur on the situation of human rights in Cuba for his report[430] and for his efforts to carry out his mandate, and extended his mandate for one year,

Expressing concern about continuing violations of human rights and fundamental freedoms in Cuba, as outlined in the interim report on the situation of human rights in Cuba submitted to the General Assembly by the Special Rapporteur,[431]

Deploring, in this regard, the arbitrary arrest, detention and harassment of Cuban citizens, in particular members of the Dissident Working Group and the independent press, for peacefully seeking to exercise their civil and political rights,

Recalling the continued refusal of the Government of Cuba to cooperate with the Commission on Human Rights with regard to its resolutions 1992/61 of 3 March 1992,[432] 1993/63 of 10 March 1993,[433] 1994/71 of 9 March 1994,[434] 1995/66 of 7 March 1995,[435] 1996/69 of 23 April 1996[436] and 1997/62,[429] including its repeated opposition to a visit to Cuba by the Special Rapporteur,

1. *Commends* the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Cuba for his interim report;[431]

2. *Expresses its full support* for the work of the Special Rapporteur;

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[427] E/CN.4/1996/95/Add.2.

[428] Resolution 217 A (III).

[429] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[430] E/CN.4/1997/53.

[431] A/52/479, annex.

[432] See *Official Records of the Economic and Social Council, 1992, Supplement No. 2* (E/1992/22), chap. II, sect. A.

[433] Ibid., *1993, Supplement No. 3* (E/1993/23), chap. II, sect. A.

[434] Ibid., *1994, Supplement No. 4* and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

[435] Ibid., *1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[436] Ibid., *1996, Supplement No. 3* (E/1996/23), chap. II, sect. A.

3. *Calls once more upon* the Government of Cuba to cooperate fully with the Special Rapporteur by permitting him full and free access to establish contact with the Government and the citizens of Cuba so that he may fulfil the mandate entrusted to him;

4. *Regrets profoundly* the numerous violations of human rights and fundamental freedoms in Cuba, as described in the report of the Special Rapporteur submitted to the Commission on Human Rights[430] and in his interim report submitted to the General Assembly;[431]

5. *Urges* the Government of Cuba to ensure freedom of expression and assembly and the freedom to demonstrate peacefully, including by allowing political parties and non-governmental organizations to function freely in the country and by reforming legislation in this area;

6. *Calls especially upon* the Government of Cuba to release the numerous persons detained for activities of a political nature, including those specifically mentioned in the interim report of the Special Rapporteur, who suffer from inadequate medical care while imprisoned or whose rights as journalists or jurists are impeded or denied;

7. *Calls upon* the Government of Cuba to carry out the recommendations contained in the interim report of the Special Rapporteur to bring its observance of human rights and fundamental freedoms in Cuba into conformity with international standards and applicable international human rights instruments and to end all violations of human rights including, in particular, the detention and imprisonment of human rights defenders and others who are engaged in the peaceful exercise of their rights, and to grant access to its prisons to non-governmental humanitarian organizations and international humanitarian agencies;

8. *Decides* to continue its consideration of this question at its fifty-third session.

70th plenary meeting
12 December 1997

52/144. Situation of human rights in Nigeria

The General Assembly,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms, as stated in the Charter of the United Nations and as elaborated in the Universal Declaration of Human Rights,[437] the International Covenants on Human Rights[438] and other applicable human rights instruments,

Recalling that Nigeria is a party to, *inter alia*, the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination[439] and the Convention on the Rights of the Child,[440]

Recalling previous resolutions of the General Assembly and the Commission on Human Rights,

Welcoming the positive contribution which Nigeria has recently been making through the Economic Community of West African States in support of democratic government within the West African region, and expressing the hope that this reflects a determination to pursue the same aim in its domestic policies,

Noting that the Commonwealth has been concerned about the continued existence of a military government and the failure to observe fundamental human rights and has decided that Nigeria should remain suspended from the Commonwealth,

1. *Welcomes*:

(*a*) The declared commitment of the Government of Nigeria to civilian rule, multi-party democracy and freedom of assembly, press and political activity by 1 October 1998, and recalling, in this regard, the declaration by the Government of 1 October 1995 which the Government recently confirmed;

(*b*) The decision of the Commission on Human Rights to appoint a Special Rapporteur on the situation of human rights in Nigeria;[441]

(*c*) The note by the Secretary-General concerning the discharge of his good offices mandate,[442] and requests him, in cooperation with the Commonwealth, to continue to undertake further discussion with the Government of Nigeria and to report on progress in the implementation of the present resolution and on the possibilities for the international community to offer practical assistance to Nigeria in achieving the restoration of democratic rule and the full enjoyment of human rights;

2. *Expresses its deep concern*:

(*a*) At continuing grave violations of human rights and fundamental freedoms in Nigeria, including arbitrary detention, as well as failure to respect due process of law;

(*b*) That the absence of representative government in Nigeria has led to violations of human rights and fundamental freedoms and is contrary to the popular support for democratic government as evidenced in the 1993 elections;

(*c*) That additional persons among those detained in Nigeria are to be tried by the same flawed judicial process which led to the arbitrary execution of Ken Saro-Wiwa and his associates;

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[437] Resolution 217 A (III).

[438] Resolution 2200 A (XXI), annex.

[439] Resolution 2106 A (XX), annex.

[440] Resolution 44/25, annex.

[441] *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A, resolution 1997/53.

[442] A/52/688.

(*d*) At the lack of preparatory steps by the Government of Nigeria to secure the reinstallation of a representative government following elections characterized by genuine popular participation in a multi-party context;

(*e*) At the past refusal of the Government of Nigeria to cooperate with the Commission on Human Rights and its mechanisms;

3. *Calls upon* the Government of Nigeria:

(*a*) To ensure urgently the observance of human rights and fundamental freedoms, including by respecting the right to life, by releasing all political prisoners, including those detained in connection with the 1993 presidential elections, among them Chief M. K. O. Abiola, trade union leaders, human rights advocates and journalists currently detained, by improving conditions of detention and by guaranteeing freedom of the press, freedom of opinion and association and respect for the rights of individuals, including persons belonging to minorities;

(*b*) To ensure that all trials are held fairly and promptly and in strict conformity with international human rights standards;

(*c*) To abide by its freely undertaken obligations under the International Covenants on Human Rights and other human rights instruments, and notes with interest, in this regard, the recommendations of the Human Rights Committee to the Government of Nigeria;[443]

(*d*) To take concrete and credible steps to restore democratic government without delay, to end rule by decree and to permit an observer presence during transition, as recommended by the United Nations fact-finding mission;

(*e*) To ensure the independence of the National Human Rights Commission, including in its investigations of human rights abuses;

(*f*) To implement fully its interim undertakings to the Secretary-General without further delay and to respond in full to the recommendations of the mission sent to Nigeria by the Secretary-General;

(*g*) To implement its obligations under the Convention concerning Freedom of Association and Protection of the Right to Organise, 1948 (No.87), of the International Labour Organization, while noting the special paragraph in the report of the International Labour Conference Committee of Experts on the Application of Conventions and Recommendations, as adopted by the International Labour Conference at its 85th session, on Nigeria's failure to comply with that Convention;

(*h*) To cooperate fully with the Commission on Human Rights and its mechanisms;

4. *Decides* to consider this question at its fifty-third session under the item entitled "Human rights questions".

70th plenary meeting
12 December 1997

52/145. Situation of human rights in Afghanistan

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[444] the International Covenants on Human Rights[445] and accepted humanitarian rules, as set out in the Geneva Conventions of 12 August 1949[446] and the Additional Protocols thereto, of 1977,[447]

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have freely undertaken under the various international instruments,

Recalling that Afghanistan is a party to the Convention on the Prevention and Punishment of the Crime of Genocide,[448] the International Covenant on Civil and Political Rights,[445] the International Covenant on Economic, Social and Cultural Rights,[445] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[449] and the Convention on the Rights of the Child[450] and that it has signed the Convention on the Elimination of All Forms of Discrimination against Women,[451]

Recalling also all its relevant resolutions, as well as the resolutions of the Commission on Human Rights and the decisions of the Economic and Social Council,

Recalling the deep concern expressed by the Security Council at the continuing discrimination against girls and women and other violations of human rights, as well as violations of international humanitarian law in Afghanistan,[452]

Welcoming the special emphasis that the United Nations Special Mission to Afghanistan has placed on human rights issues in its discussions with all the Afghan parties,

1. *Takes note with appreciation* of the interim report of the Special Rapporteur of the Commission on Human

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[443] CCPR/C/79/Add.65.

[444] Resolution 217 A (III).

[445] Resolution 2200 A (XXI), annex.

[446] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[447] Ibid., vol. 1125, Nos. 17512 and 17513.

[448] Resolution 260 A (III).

[449] Resolution 39/46, annex.

[450] Resolution 44/25, annex.

[451] Resolution 34/180, annex.

[452] S/PRST/1997/35; see *Resolutions and Decisions of the Security Council, 1997*.

Rights on the situation of human rights in Afghanistan[453] and of the conclusions and recommendations contained therein;

2. *Notes with deep concern* the intensification of armed hostilities in Afghanistan, which have resulted in the destruction of houses and in forced evictions, including on grounds of ethnicity, and calls upon all parties involved immediately to cease such hostilities and to engage in a political dialogue aimed at achieving national reconciliation and the voluntary return of displaced persons to their homes in safety and dignity;

3. *Also notes with deep concern* the ongoing further deterioration of the situation of human rights in Afghanistan, including the situation of women, as reported by the Special Rapporteur, and condemns the violations and abuses of human rights and humanitarian law, including the rights to life, liberty and security of person, freedom from torture and from other forms of cruel, inhuman or degrading treatment or punishment, freedom of opinion, expression, religion, association and movement;

4. *Expresses in particular its deep concern* about the frequent practice of arbitrary arrest and detention and summary trials throughout the country, which have resulted in summary executions, as well as the application of forms of punishment prohibited under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;[449]

5. *Calls upon* all the Afghan parties fully to respect all human rights and fundamental freedoms, regardless of gender, ethnicity or religion, in accordance with international human rights instruments;

6. *Urges* all the Afghan parties to bring an end to discrimination on the basis of gender and to the deprivation of human rights of women without delay and, in particular, to take measures to ensure:

(*a*) The effective participation of women in civil, cultural, economic, political and social life throughout the country;

(*b*) Respect for the right of women to work and their reintegration in employment;

(*c*) The right of women and girls to education without discrimination, the reopening of schools and the admission of women and girls to all levels of education;

(*d*) Respect for the right of women to security of person and to ensure that those responsible for physical attacks on women are brought to justice;

(*e*) Respect for freedom of movement for women and their effective access to the facilities necessary for the protection of their right to the highest attainable standards of physical and mental health;

(*f*) Equal access for women to health facilities;

7. *Also urges* all the Afghan parties to work closely and to cooperate with the United Nations Special Mission to Afghanistan with a view to achieving a comprehensive political solution leading to the cessation of armed confrontation and to the establishment of a democratic Government elected through free and fair elections, based on the right to self-determination of the people of Afghanistan;

8. *Further urges* all the Afghan parties to ensure that United Nations programmes are carried out without discrimination against women either as participants or as beneficiaries;

9. *Demands* that all the Afghan parties fulfil their obligations and commitments regarding the safety of all personnel of diplomatic missions, the United Nations and other international organizations, including their premises in Afghanistan, and that they cooperate fully with the United Nations and associated bodies as well as with other humanitarian organizations and agencies;

10. *Urges* all the Afghan parties to provide efficient and effective remedies to the victims of grave violations of human rights and of accepted humanitarian rules and to bring their perpetrators to trial in accordance with internationally accepted standards;

11. *Recognizes* that the promotion and protection of human rights should be an essential element in the achievement of a comprehensive solution to the crisis in Afghanistan, and, therefore, invites the Special Mission and the Special Rapporteur to exchange relevant information and to strengthen their mutual consultation and cooperation;

12. *Urges* all the Afghan parties fully to respect international humanitarian law, to protect civilians, to halt the use of weapons against the civilian population, to refrain from storing munitions in residential areas, to prohibit the drafting and recruitment of children as para-combatants, to ensure their reintegration into society and to stop the practice of using people as human shields;

13. *Invites* all the Afghan parties to support the International Committee of the Red Cross, in particular by providing access to all prisoners, and to release all non-criminal civilian prisoners;

14. *Expresses its deep concern* about reports that, despite continuing demining programmes by the international community, new landmines have been laid, and appeals to all parties to stop deploying such devices, which kill or maim hundreds of people every week, mostly innocent and defenceless civilians, especially children;

15. *Urges* all States to respect the full national unity, sovereignty and territorial integrity of Afghanistan;

16. *Appeals* to Member States and to the international community to provide, on a non-discriminatory basis, adequate humanitarian assistance to the people of Afghanistan and to the Afghan refugees in neighbouring countries, pending, and with a view to encouraging, their voluntary repatriation, and

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[453] A/52/493, annex.

requests all the parties in Afghanistan to lift the restrictions imposed on the international aid community and to allow the free transit of food and medical supplies to all populations of the country;

17. *Expresses its deep concern* about reports of the deterioration of the cultural heritage of Afghanistan, notes that all the parties share the historical responsibility to protect and safeguard this common heritage, and requests Member States to take appropriate measures to prevent the looting of cultural artifacts and to ensure their return to Afghanistan;

18. *Urges* all the Afghan parties to extend their cooperation to the Commission on Human Rights and to its Special Rapporteur;

19. *Requests* the Secretary-General to give all necessary assistance to the Special Rapporteur;

20. *Decides* to keep the situation of human rights in Afghanistan under consideration at its fifty-third session, in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

70th plenary meeting
12 December 1997

52/146. Situation of human rights in Rwanda

The General Assembly,

Guided by the Charter of the United Nations, the International Bill of Human Rights,[454] the Convention on the Prevention and Punishment of the Crime of Genocide[455] and other applicable human rights and humanitarian law standards,

Recalling its resolution 51/114 of 12 December 1996 and relevant previous resolutions, and taking note of Commission on Human Rights resolution 1997/66 of 16 April 1997,[456]

Reaffirming that effective action to prevent further violations of human rights and fundamental freedoms must be a central and integral element of the overall Rwandan and United Nations responses to the situation in Rwanda and that a strengthened human rights component is indispensable to national reconciliation and reconstruction in Rwanda,

1. *Takes note* of the reports of the United Nations High Commissioner for Human Rights on the Human Rights Field Operation in Rwanda[457] and the report of the Special Representative of the Commission on Human Rights on the situation of human rights in Rwanda;[458]

2. *Reiterates its strong condemnation* of the crime of genocide and the crimes against humanity which were perpetrated in Rwanda in 1994, and expresses its concern at the continuation of human rights violations and violations of international humanitarian law in Rwanda;

3. *Urges* all States to cooperate fully, without delay, with the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, taking into account the obligations set forth in Security Council resolutions 955 (1994) of 8 November 1994 and 978 (1995) of 27 February 1995, and encourages the Secretary-General to facilitate the activities of the International Criminal Tribunal to the greatest extent possible;

4. *Notes with interest* the recommendations made in the report of the Special Representative, in particular the recommendation that there is a need for greater coordination in the provision of human rights technical assistance;

5. *Notes* the commitment of the Government of Rwanda to investigate reports of extrajudicial executions committed by some members of the security forces, and calls upon the competent national authorities to conduct those investigations promptly and with all due rigour;

6. *Welcomes* the start of the trials of those suspected of genocide and crimes against humanity in Rwanda and the improvements that have been made in the trial process, and stresses the need for continued efforts by the Government of Rwanda to further strengthen fair trial guarantees and to ensure access to legal representation, which are of particular importance given that those found guilty may face the death penalty;

7. *Affirms* the urgent need to complete a dossier for every detainee, with a view to identifying those who should be released immediately, early or conditionally, and the need for continued efforts by the Government of Rwanda, with the assistance of the international community, to bring about further improvements in conditions of detention;

8. *Appeals* to the international community to contribute further assistance to the Government of Rwanda in its efforts to strengthen Rwanda's judicial system, reconstruct human rights infrastructure and build national capacity in the field of human rights;

9. *Welcomes* the work of the Human Rights Field Operation in Rwanda, whose objectives were described in General Assembly resolution 50/200 of 22 December 1995, and the agreement signed between the Government of Rwanda and the Field Operation;

10. *Condemns in the strongest terms* any acts of violence or intimidation against the staff of the United Nations or any other international staff serving in Rwanda, and pays tribute to the memory of those killed;

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[454] See resolutions 217 A (III), 2200 A (XXI), annex and 44/128, annex.

[455] Resolution 260 A (III).

[456] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[457] A/52/486, annex and A/52/486/Add.1/Rev.1, annex.

[458] A/52/522, annex.

11. *Encourages* continued cooperation among the United Nations High Commissioner for Human Rights, the Special Representative of the Commission on Human Rights on the situation of human rights in Rwanda, the Human Rights Field Operation in Rwanda and the Government of Rwanda;

12. *Calls upon* all States to contribute urgently to the costs of the Human Rights Field Operation in Rwanda and to work for lasting solutions to its financing problems, including through the regular budget of the United Nations;

13. *Requests* the United Nations High Commissioner for Human Rights to report on the activities and findings of the Human Rights Field Operation in Rwanda to the Commission on Human Rights at its fifty-fourth session and to the General Assembly at its fifty-third session.

70th plenary meeting
12 December 1997

52/147. Situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights,[459] the International Covenants on Human Rights [460] and all other human rights instruments and instruments of international humanitarian law, including the Geneva Conventions of 12 August 1949 on the protection of victims of war[461] and the Additional Protocols thereto, of 1977,[462] as well as the principles and commitments undertaken by participating States of the Organization for Security and Cooperation in Europe,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil their obligations under the human rights instruments to which they are party, and reaffirming the obligation of all to respect international humanitarian law,

Reaffirming also the territorial integrity of all States in the region, within their internationally recognized borders,

Welcoming the entry into force and the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"), initialled at Dayton, United States of America, on 21 November 1995, and signed by the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia, representing also the Bosnian Serb party, in Paris on 14 December 1995,[463] which, *inter alia*, committed the parties in Bosnia and Herzegovina fully to respect human rights,

Gravely concerned nonetheless at the continuing evidence of violations of human rights and fundamental freedoms taking place to varying degrees in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia,

Expressing its concern for the fostering of democracy and the rule of law in the area, noting the recommendations made by the personal representative of the Chairman-in-Office of the Organization for Security and Cooperation in Europe on the situation in the Federal Republic of Yugoslavia, and expressing its disappointment that those recommendations have not been followed,

Calling attention to the reports and recommendations of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia on the situation of human rights in Bosnia and Herzegovina,[464] the Republic of Croatia[465] and the Federal Republic of Yugoslavia,[466] including her most recent report, of 17 October 1997,[467]

Recalling all relevant General Assembly resolutions, especially its resolution 51/116 of 12 December 1996, Commission on Human Rights resolution 1997/57 of 15 April 1977[468] and all relevant resolutions of the Security Council and statements by the President of the Security Council, in particular resolution 1009 (1995) of 10 August 1995 and the President's statement of 20 October 1997,[469]

1. *Calls* for the full and consistent implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"), initialled at Dayton, United States of America, on 21 November 1995, and signed by the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia, representing also the Bosnian Serb party, in Paris on 14 December 1995,[463] and the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (the "Basic Agreement"), signed on

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[459] Resolution 217 A (III).

[460] Resolution 2200 A (XXI), annex.

[461] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[462] Ibid., vol. 1125, Nos. 17512 and 17513.

[463] See *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/999.

[464] E/CN.4/1998/13.

[465] E/CN.4/1998/14.

[466] E/CN.4/1998/15.

[467] A/52/490, annex.

[468] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[469] S/PRST/1997/48; see *Resolutions and Decisions of the Security Council, 1997*.

12 November 1995 by the Government of the Republic of Croatia and the local Serb representatives;[470]

2. *Expresses its serious concern* about continuing human rights violations within Bosnia and Herzegovina and the delays in fully implementing the human rights provisions of the Peace Agreement;

3. *Condemns in the strongest terms* the continued forcible expulsion of individuals from their homes in Bosnia and Herzegovina and the practice of destroying the homes of those forcibly expelled, and calls for the immediate arrest and punishment of individuals engaged in these actions;

4. *Also condemns* the continuing restrictions on freedom of movement between the Republika Srpska and the Federation, as noted by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia in her report,[467] and urges all parties to guarantee the freedom of movement of returnees and residents of Bosnia and Herzegovina;

5. *Urges* all parties in Bosnia and Herzegovina immediately to create conditions conducive to the safe and voluntary return of refugees and internally displaced persons to their pre-war homes, and calls upon all entities to repeal property laws which prevent pre-war residents from returning to their homes, in accordance with annex 7 of the Peace Agreement, and to ensure the passage of non-discriminatory legislation as soon as possible;

6. *Encourages* all parties in Bosnia and Herzegovina to cooperate with and support the work of the Commission for Real Property Claims of Displaced Persons and Refugees to resolve outstanding property claims;

7. *Expresses concern* for women and children, especially in Bosnia and Herzegovina, who were victims of rape used as a weapon of war, and calls for the perpetrators of rape to be brought to justice while ensuring that victims and witnesses receive adequate assistance and protection;

8. *Urges* all States and relevant organizations to continue to give serious consideration to the recommendations in the reports of the Special Rapporteur on the situation of human rights in Bosnia and Herzegovina,[464] the Republic of Croatia[465] and the Federal Republic of Yugoslavia, [466] in particular the recommendation concerning provision for the continuation of necessary medical and psychological care to victims of rape within the framework of programmes to rehabilitate women and children traumatized by war, as well as the provision of protection, counselling and support to victims and witnesses;

9. *Recognizes* the extraordinary suffering of the victims of rape and sexual violence and the necessity for an appropriate response to provide assistance to those victims, and expresses its concern, in particular, for the welfare of those victims who are currently among the internally displaced or otherwise affected by the war and who have experienced severe trauma and require psychological and other assistance;

10. *Insists* that all parties implement fully the commitments made in the Peace Agreement to protect human rights, that they act to promote and protect democratic institutions of government at all levels in their respective countries, to ensure freedom of expression and of the media, to allow and encourage freedom of association, including with respect to political parties, and to ensure freedom of movement, and that the parties in Bosnia and Herzegovina comply with the human rights provisions of their national Constitution;

11. *Calls upon* all parties and States in the region to ensure that the promotion of human rights, including the fulfilment of their respective human rights obligations by the parties to the Peace Agreement, as well as the strengthening of national institutions, will be a central element in the new civilian structure implementing the Peace Agreement, as promised at the Peace Implementation Conference held in London on 4 and 5 December 1996[471] and at the Ministerial Meeting of the Steering Board of the Peace Implementation Council and the Presidency of Bosnia and Herzegovina held at Sintra, Portugal, on 30 May 1997;[472]

12. *Calls upon* the Government of the Federal Republic of Yugoslavia to undertake substantially greater efforts to institute democratic norms, especially in regard to the promotion and protection of free and independent media, and full respect for human rights and fundamental freedoms;

13. *Also calls upon* the Government of the Federal Republic of Yugoslavia to ensure the speedy and consistent investigation of acts of discrimination and violence against refugees and to ensure the arrest and punishment of those responsible for those acts;

14. *Further calls upon* the Government of the Federal Republic of Yugoslavia to allow for the return of Federal Republic of Yugoslavia nationals and refugees currently outside its territory;

15. *Urgently demands* that the authorities of the Federal Republic of Yugoslavia take immediate action to put an end to the repression of, and prevent violence against, non-Serb populations in Kosovo, including acts of harassment, beatings, torture, warrantless searches, arbitrary detention and unfair trials, and also to respect the rights of persons belonging to minority groups in the Sandjak and Vojvodina and of persons belonging to the Bulgarian minority and to allow the immediate, unconditional return of the long-term mission of the Organization for Security and Cooperation in Europe to

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[470] See *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/951.

[471] Ibid., *Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/1012, annex.

[472] Ibid., *Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/434, annex.

Kosovo, the Sandjak and Vojvodina, as called for in Security Council resolution 855 (1993) of 9 August 1993;

16. *Calls upon* the Government of the Federal Republic of Yugoslavia to respect the democratic process and to act immediately to allow freedom of expression and assembly and full and free participation by all residents in Kosovo in the political, economic, social and cultural life of the region, particularly in the areas of education and health care, and to ensure that all the residents of the region are guaranteed equal treatment and protection regardless of ethnic affiliation;

17. *Strongly urges* the Government of the Federal Republic of Yugoslavia to revoke all discriminatory legislation and to apply all other legislation without discrimination and to take urgent action to prevent arbitrary evictions and dismissals and discrimination against any ethnic or national, religious or linguistic group;

18. *Calls upon* the Government of the Republic of Croatia to undertake greater efforts to strengthen its adherence to democratic norms, especially in regard to the promotion and protection of free and independent media, to cooperate fully with the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium to ensure that the reintegration of Eastern Slavonia occurs peacefully and with respect for the human rights of all residents and returning displaced persons and refugees, including those belonging to minorities, and for their right to remain, leave or return in safety and dignity and to enable refugees to return, as agreed by the Government of the Republic of Croatia, on 5 August 1997;

19. *Strongly condemns* instances of harassment of displaced Serbs and reports of collusion or active participation in such acts by Croatian members of the Transitional Police Force of the Region of Eastern Slavonia, Baranja and Western Sirmium, and calls upon the Government of the Republic of Croatia to strengthen and to take continuing measures to end all forms of discrimination by Croatian authorities in, *inter alia*, the areas of employment, promotion, education, pensions and health care;

20. *Welcomes* the recent establishment by the Government of the Republic of Croatia of the national programme for the re-establishment of trust, and calls for its full and prompt implementation;

21. *Insists* that all authorities in Bosnia and Herzegovina cooperate fully with the Commission on Human Rights for Bosnia and Herzegovina, created under annex 6 of the Peace Agreement, in particular by providing information and resource reports requested by the Human Rights Ombudsman and by participating in hearings before the Human Rights Chamber, and demands that the Republika Srpska cease its pattern of non-cooperation with the Commission;

22. *Calls upon* the Commission on Human Rights for Bosnia and Herzegovina to intensify its activities concerning alleged or apparent violations of human rights or alleged or apparent discrimination of any kind;

23. *Urges* the parties to implement the results of recent municipal elections without delay, through the constitution of councils in all municipalities of Bosnia and Herzegovina;

24. *Calls* for the continuing implementation by the Republic of Croatia of the new general amnesty law, enacted on 20 September 1996 and intended in part to promote confidence on the part of the local Serb population;

25. *Welcomes* the signing of a cross-border agreement between the Federal Republic of Yugoslavia and the Republic of Croatia on 15 September 1997 and the easing of border crossing between Bosnia and Herzegovina and the Republic of Croatia;[473]

26. *Calls upon* the Government of the Federal Republic of Yugoslavia to undertake a consistent border regime with all neighbouring countries;

27. *Strongly urges* the Government of the Republic of Croatia to allow the expeditious voluntary return of all refugees, including those from the Federal Republic of Yugoslavia, and of displaced persons, to take all appropriate measures to secure their safety and human rights, to resolve, in the framework of the rule of law, in conformity with international standards, the issue of property rights, to make a sustained effort to ensure the provision of equal access to protection and to social and housing reconstruction assistance regardless of ethnicity and to investigate and arrest those responsible for acts of violence and intimidation aimed at driving people away;

28. *Urgently calls upon* all States and all parties to the Peace Agreement to meet their obligations to cooperate fully with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, as required by Security Council resolution 827 (1993) of 25 May 1993, including with respect to surrendering persons sought by the International Tribunal, urges all States and the Secretary-General to support the Tribunal to the fullest extent possible, in particular by helping to ensure that persons indicted by the Tribunal stand trial before it, and urges all States to consider providing the Tribunal with legal and technical expertise not available to the organization, as provided for in General Assembly resolution 51/243 of 15 September 1997;

29. *Strongly condemns* the continuing refusal of the authorities of the Republika Srpska and the Government of the Federal Republic of Yugoslavia to arrest and surrender indicted war criminals known to be present in their territories, as they have agreed to do;

30. *Welcomes with satisfaction* the measures recently taken by the Government of the Republic of Croatia to facilitate the voluntary return of ten persons indicted by the International Tribunal, in accordance with the Peace

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[473] Ibid., *Supplement for October, November and December 1997*, document S/1997/767, para. 33.

Agreement, and welcomes in this regard the increased cooperation with the Tribunal by the Republic of Croatia and the central authorities of Bosnia and Herzegovina, which have enacted implementing legislation and have transferred indictees to the Tribunal;

31. *Demands* that the Government of Bosnia and Herzegovina, in particular the authorities of the Republika Srpska, and the Government of the Federal Republic of Yugoslavia ensure full and free access to their territories to all institutions and organizations concerned with the implementation of the present resolution, including non-governmental organizations;

32. *Welcomes* the reports on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia submitted by the Special Rapporteur, and commends her and the United Nations Human Rights Field Operation in the Former Yugoslavia for their continuing efforts;

33. *Urges* all parties to implement fully the recommendations of the Special Rapporteur;

34. *Calls upon* the authorities of the States and entities within the mandate of the Special Rapporteur to cooperate with her and to provide her on a regular basis with information about the actions they are taking to implement her recommendations;

35. *Welcomes* technical cooperation and assistance programmes planned by the Office of the United Nations High Commissioner for Human Rights in consultation with the Government of Croatia, and calls upon the Office of the High Commissioner to initiate, at the earliest possible opportunity, projects emphasizing human rights training for professionals involved in law enforcement and the rule of law, as well as human rights education;

36. *Reaffirms*, as recommended previously by the Special Rapporteur, that major reconstruction aid must be made conditional on demonstrated respect for human rights, emphasizes, in that context, the necessity of cooperation with the International Tribunal, and welcomes in this regard the conclusions of the Ministerial Meetings of the Steering Board of the Peace Implementation Council and the Presidency of Bosnia and Herzegovina held in Paris on 14 November 1996[474] and Sintra, Portugal, on 30 May 1997;[472]

37. *Welcomes* the commitments of the international community for post-war reconstruction and development assistance, and encourages the expansion of that assistance, while noting that such assistance should be conditioned on full compliance by the parties with the agreements that have been made;

38. *Welcomes also* the efforts of the Organization for Security and Cooperation in Europe, the Council of Europe, the Organization of the Islamic Conference, the European Community Monitoring Mission and the United Nations High Commissioner for Human Rights in monitoring and strengthening respect for human rights and fundamental freedoms in Bosnia and Herzegovina and in the region, and welcomes the Republic of Croatia's adherence to, and firm and formal commitment to abide by, the European Convention for the Protection of Human Rights and Fundamental Freedoms and its additional protocols,[475] the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment,[476] the European Charter of Local Self-Government,[477] the Framework Convention for the Protection of National Minorities[478] and the European Charter for Regional or Minority Languages;[479]

39. *Calls* for an immediate end to illegal and/or hidden detention by all parties, and requests that the Special Rapporteur investigate allegations of hidden detainees;

40. *Calls upon* the parties to the Peace Agreement to take immediate steps to determine the identity, the whereabouts and the fate of missing persons, *inter alia*, near Srebrenica, Zepa, Prijedor, Sanski Most and Vukovar, including through close cooperation with the International Commission on Missing Persons in the Former Yugoslavia, other international humanitarian organizations and independent experts, the Special Rapporteur, the Working Group on the Process for Tracing Persons Unaccounted For, chaired by the International Committee of the Red Cross, and the Expert Group on Exhumation and Missing Persons, chaired by the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina, and stresses the importance of coordinating work in this area;

41. *Encourages* all Governments to respond favourably to the appeals for voluntary contributions for the benefit of the Commission on Human Rights for Bosnia and Herzegovina, the Commission for Real Property Claims of Displaced Persons and Refugees for Bosnia and Herzegovina, the International Commission on Missing Persons in the Former Yugoslavia, the Office of the United Nations High Commissioner for Human Rights and other institutions of reconciliation, democracy and justice in the region;

42. *Encourages*, the Organization for Security and Cooperation in Europe, the Council of Europe, the Organization of the Islamic Conference, the European Community Monitoring Mission, the United Nations High Commissioner for Human Rights and other relevant international organizations to coordinate closely their efforts in the field of human rights, with a view to contributing to the implementation of the present resolution;

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[474] Ibid., *Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/968, appendix.

[475] United Nations, *Treaty Series*, vol. 213, No. 2889, A/33/417, annex II, E/CN.4/Sub.2/1985/42, E/CN.4/1987/20 and Council of Europe, *European Treaty Series*, No. 146.

[476] United Nations, *Treaty Series*, vol. 1561, No. 27161.

[477] Ibid., vol. 1525, No. 26457.

[478] Council of Europe, *European Treaty Series*, No. 157.

[479] Ibid., No. 148.

43. *Decides* to continue its examination of this question at its fifty-third session under the item entitled "Human rights questions".

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52/148. Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action

The General Assembly,

Recalling its resolution 48/121 of 20 December 1993, in which it endorsed the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[480] as well as its subsequent resolutions on this matter,

Considering that the promotion of universal respect for and observance of all human rights and fundamental freedoms for all is one of the basic purposes of the Charter of the United Nations and one of the main priorities of the Organization,

Convinced that the Vienna Declaration and Programme of Action has to be translated into effective action by States, the competent United Nations organs and organizations and other organizations concerned, including non-governmental organizations,

Recalling the request of the World Conference to the Secretary-General and the General Assembly to take immediate steps to increase substantially the resources for the human rights programme from within the existing and future regular budgets of the United Nations,

Recalling also that by its resolution 48/141 the General Assembly decided to create the post of United Nations High Commissioner for Human Rights as the United Nations official with principal responsibility for United Nations human rights activities, including coordination of the human rights promotion and protection activities throughout the United Nations system,

Recalling further paragraph 100 of part II of the Vienna Declaration and Programme of Action concerning the five-year review of progress made in the implementation of the Vienna Declaration and Programme of Action, to be carried out in 1998, in which the World Conference, *inter alia*, requested the Secretary-General to invite, on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, all States, organs and agencies of the United Nations system related to human rights to report to him on the progress made in the implementation of the Vienna Declaration and Programme of Action,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

Recognizing that the interdependence of democracy, development and respect for human rights, as stated in the Vienna Declaration and Programme of Action, requires a comprehensive and integrated approach to the promotion and protection of human rights and that adequate inter-agency cooperation and coordination are essential in order to ensure such a fully integrated approach throughout the United Nations system,

Welcoming the fact that the call of the World Conference for a United Nations system-wide approach to human rights issues has been reflected in the recommendations of major international conferences organized by the United Nations in the economic, social and related fields, and noting the ongoing efforts to ensure a coordinated follow-up to major international conferences in the economic, social and related fields,

Recalling that each year the Economic and Social Council shall carry out, within the framework of its coordination segment, a review of cross-cutting themes common to major international conferences and/or contribute to an overall review of the implementation of the programme of action of a United Nations conference, in accordance with agreed conclusions 1995/1 of the Economic and Social Council,[481]

Recalling also its resolution 51/118 of 12 December 1996 and Commission on Human Rights resolution 1996/78 of 23 April 1996,[482] as well as Economic and Social Council decision 1996/283 of 24 July 1996 concerning the recommendation to devote the coordination segment of the Economic and Social Council, at its substantive session of 1998, to the question of the coordinated follow-up to and implementation of the Vienna Declaration and Programme of Action, and taking note of Commission on Human Rights resolution 1997/69 of 16 April 1997,[483]

Taking note of the note by the Secretary-General on possible common themes for the follow-up of major international conferences during the coordination segment of the substantive session of 1998 of the Economic and Social Council,[484]

Having considered the report of the United Nations High Commissioner for Human Rights,[485] in particular chapter VII, entitled "1998 - Human Rights Year",

1. *Reaffirms* the importance of the promotion of universal respect for and observance and protection of all human rights and fundamental freedoms in accordance with the Charter of the United Nations, as expressed in the Vienna Declaration and Programme of Action;

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[480] A/CONF.157/24 (Part I), chap. III.

[481] See *Official Records of the General Assembly, Fiftieth Session, Supplement No. 3* (A/50/3/Rev.1), chap. III, para. 22.

[482] See *Official Records of the Economic and Social Council, 1996, Supplement No. 3* (E/1996/23), chap. II, sect. A.

[483] Ibid., *1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[484] E/1997/91.

[485] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 36* (A/52/36).

2. *Also reaffirms* the views of the World Conference on Human Rights on the urgency of eliminating denials and violations of human rights;

3. *Recognizes* that the international community should devise ways and means to remove current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

4. *Calls upon* all States to take further action with a view to the full realization of all human rights for all in the light of the recommendations of the Conference;

5. *Urges* all States to continue to give widespread publicity to the Vienna Declaration and Programme of Action, in particular in the context of the public information and human rights education activities for the fiftieth anniversary of the Universal Declaration of Human Rights, including through training programmes, human rights education and public information, in order to promote increased awareness of all human rights and fundamental freedoms;

6. *Requests* the United Nations High Commissioner for Human Rights, the General Assembly, the Commission on Human Rights and other organs and bodies of the United Nations system related to human rights to take further action with a view to the full implementation of all the recommendations of the World Conference;

7. *Takes note* of the oral report of the Chairman of the Working Group of the Third Committee mandated to consider aspects of the implementation of the recommendations of the Vienna Declaration and Programme of Action, as set out in paragraphs 17 and 18 of part II of the Vienna Declaration and Programme of Action, and underlines the need for its full implementation;

8. *Emphasizes* the important role of the United Nations High Commissioner for Human Rights in the system of the United Nations human rights organs, as defined in its resolution 48/141, including her role in the process of analysis of the functioning of the United Nations human rights machinery and its adaptation to current and future needs;

9. *Invites* the Administrative Committee on Coordination to continue to discuss the implications of the Vienna Declaration and Programme of Action for the United Nations system, with the participation of the High Commissioner, in particular in the context of the preparations for the 1998 five-year review;

10. *Welcomes* the fact that, in accordance with paragraph 100 of part II of the Vienna Declaration and Programme of Action, the High Commissioner has invited Governments and United Nations agencies and programmes related to human rights to provide reports on the progress made in the implementation of the recommendations adopted by the World Conference and has invited regional and, as appropriate, national human rights institutions, as well as non-governmental organizations, to present their views in this regard;

11. *Calls upon* all States to contribute actively to the 1998 five-year review;

12. *Welcomes* the inter-agency consultations of the High Commissioner with all United Nations programmes and agencies whose activities deal with human rights for the preparations of the 1998 five-year review, and calls upon them to contribute actively to this process;

13. *Encourages* regional and national human rights institutions as well as non-governmental organizations to present, on this occasion, their views on the progress made in the implementation of the Vienna Declaration and Programme of Action;

14. *Welcomes and supports once again* Economic and Social Council decision 1996/283, in which the Council endorsed the recommendation of the Commission on Human Rights to consider devoting the coordination segment of its substantive session of 1998 to the question of the coordinated follow-up to and implementation of the Vienna Declaration and Programme of Action as part of the 1998 five-year review foreseen in paragraph 100 of part II of the Vienna Declaration and Programme of Action;

15. *Requests* the High Commissioner to present an interim report to the Commission on Human Rights at its fifty-fourth session and a final report to the General Assembly at its fifty-third session on the progress made in the implementation of the Vienna Declaration and Programme of Action, as foreseen in paragraph 100 of part II of the Vienna Declaration and Programme of Action, taking into account reports provided by States and by United Nations organs and agencies related to human rights and views presented by regional and, as appropriate, national human rights institutions, as well as by non-governmental organizations;

16. *Decides* to review at its fifty-third session, as foreseen in paragraph 100 of part II of the Vienna Declaration and Programme of Action, the progress made in the implementation of the Vienna Declaration and Programme of Action, under the sub-item entitled "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action".

70th plenary meeting
12 December 1997

VI. RESOLUTIONS ADOPTED ON THE REPORTS OF THE FIFTH COMMITTEE

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52/1. Financing of the United Nations peacekeeping operations

The General Assembly,

I

FINANCING OF THE UNITED NATIONS LOGISTICS BASE AT BRINDISI, ITALY

Recalling section XIV of its resolution 49/233 A of 23 December 1994,

Recalling also its decision 50/500 of 17 September 1996 and section VIII of its resolution 51/218 E of 17 June 1997 on the financing of the United Nations Logistics Base at Brindisi, Italy,

Having considered the report of the Secretary-General on the financing of the Logistics Base[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2] the report of the Office of Internal Oversight Services on the audit of the Logistics Base,[3] the comments of the Joint Inspection Unit thereon[4] and the views expressed by Member States in the Fifth Committee,[5]

1. *Takes note* of the report of the Secretary-General on the financing of the United Nations Logistics Base at Brindisi, Italy;[1]

2. *Takes note also* of the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[2]

3. *Takes note further* of the cost estimates proposed by the Secretary-General[6] and recommended by the Advisory Committee[7] for the maintenance of the Logistics Base for the period from 1 July 1996 to 30 June 1997, amounting to 7,875,000 United States dollars gross (7,375,200 dollars net), the ad hoc financing of which will be reflected in the respective performance reports of the peacekeeping operations for the period from 1 July 1996 to 30 June 1997;

4. *Notes* that, according to the recommendation of the Advisory Committee, a more precise cost-benefit analysis of the Logistics Base should be carried out,[8] requests the Secretary-General to prepare a comprehensive cost-benefit analysis of the operation of the Logistics Base for consideration by the General Assembly during the first part of its resumed fifty-second session, and requests the Advisory Committee to assist the Secretary-General in this regard by providing more specific guidance on conducting such an analysis;

5. *Requests* the Secretary-General, without prejudice to the decision of the General Assembly on the future of the Logistics Base, to make proposals, as appropriate, for different sources or modes of financing, including self-financing mechanisms, and to consider the possibility of expanding the use of the Logistics Base to other agencies and programmes of the United Nations, such as the Office of the United Nations High Commissioner for Refugees and the World Food Programme, as recommended by the Advisory Committee in paragraph 18 of its report,[2] and to make this information available so as to enable the Assembly to take a decision on the future of the Logistics Base, in the context of a coherent strategy for logistic support, during the first part of its resumed fifty-second session;

6. *Authorizes* the Secretary-General to enter into commitments in the amount of 4,207,500 dollars for the clearance of backlog inventory at the Logistics Base;

7. *Requests* the Secretary-General to inform the General Assembly during the first part of its resumed fifty-second session on the clearance of backlog inventory referred to in his report;[1]

8. *Authorizes* the Secretary-General to enter into commitments on a monthly basis in the amount of 812,100 dollars for the maintenance of the Logistics Base for the period from 16 October 1997 to 30 June 1998;

9. *Decides* that additional appropriations, as may be required, will be considered in the context of the performance reports on peacekeeping operations for that period;

10. *Authorizes* the Secretary-General to provide for a civilian establishment consisting of ten Professional, six Field Service and twenty-eight locally recruited staff;

11. *Endorses* the recommendation made by the Advisory Committee in paragraph 13 of its report[2] that the level of staffing should be reviewed in the light of the volume of operations, and requests the Secretary-General to provide this information to the General Assembly during the first part of its resumed fifty-second session;

12. *Encourages* the Secretary-General to use existing audit capability to provide the functions referred to in paragraph 34 of his report;[1]

13. *Decides* to refer to the issue of resourcing policy as proposed in section VIII of the report of the Secretary-General in the context of its deliberations on the future of the Logistics Base, as referred to in paragraph 5 above;

14. *Approves* the policies proposed in sections X and XI of the report of the Secretary-General;

15. *Requests* the Secretary-General to provide detailed information on the Logistics Base communications relay system and its functions;

II

MANAGEMENT OF PEACEKEEPING ASSETS: FIELD ASSETS CONTROL SYSTEM

Recalling section VIII, paragraph 4, of its resolution 51/218 E of 17 June 1997,

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[1] A/51/905.

[2] A/52/407.

[3] A/51/803, annex.

[4] A/52/380, annex.

[5] See *Official Records of the General Assembly, Fifty-second Session, Fifth Committee*, 3rd and 4th meetings (A/C.5/52/SR.3 and 4), and corrigendum.

[6] See A/50/907.

[7] A/50/985, para. 25.

[8] A/52/407, paras. 4 and 18.

Having considered the report of the Secretary-General on the field assets control system[9] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2] as well as the views expressed by Member States in the Fifth Committee,[5]

1. *Takes note* of the report of the Secretary-General on the field assets control system;[9]

2. *Takes note also* of the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[2]

3. *Endorses* the proposal for the development and implementation of the field assets control system described in paragraphs 4 to 22 of the report of the Secretary-General;

4. *Notes* the intention of the Secretary-General to continue to develop the field mission logistics system described in paragraphs 25 and 26 of his report, and decides to consider this question during the second part of its resumed fifty-second session.

31st plenary meeting
15 October 1997

52/8. Financing of the United Nations Angola Verification Mission and financing of the United Nations Observer Mission in Angola

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Angola Verification Mission[10] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[11]

Bearing in mind Security Council resolutions 626 (1988) of 20 December 1988, by which the Council established the United Nations Angola Verification Mission, 696 (1991) of 30 May 1991, by which the Council decided to entrust a new mandate to the United Nations Angola Verification Mission (thenceforth called the United Nations Angola Verification Mission II), 976 (1995) of 8 February 1995, by which the Council authorized the establishment of a peacekeeping operation (thenceforth called the United Nations Angola Verification Mission III) and 1118 (1997) of 30 June 1997, by which the Council decided to establish, as from 1 July 1997, the United Nations Observer Mission in Angola for an initial period of four months until 31 October 1997,

Recalling its resolution 43/231 of 16 February 1989 on the financing of the Verification Mission and its subsequent resolutions and decisions thereon, the latest of which was resolution 51/213 of 18 December 1996,

Reaffirming that the costs of the Observer Mission are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the Mission, a different procedure is required from that applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such an operation,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

Mindful of the fact that it is essential to provide the Observer Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

Concerned that the Secretary-General continues to face difficulties in meeting the obligations of the Mission on a current basis, including reimbursement to current and former troop-contributing States,

1. *Takes note* of the status of contributions to the United Nations Angola Verification Mission as at 15 October 1997, including the contributions outstanding in the amount of 89,144,761 United States dollars, representing 10 per cent of the total assessed contributions from the inception of the Verification Mission to the period ending 30 June 1997, notes that some 26 per cent of the Member States have paid their assessed contributions in full, and urges all other Member States concerned, in particular those in arrears, to ensure the payment of their outstanding assessed contributions;

2. *Expresses concern* about the financial situation with regard to peacekeeping activities, in particular as regards the reimbursement of troop contributors, which bear an additional burden owing to overdue payments by Member States of their assessments;

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full;

4. *Urges* all Member States to make every possible effort to ensure the payment of their assessed contributions to the United Nations Observer Mission in Angola in full and on time;

5. *Takes note* of the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[11]

6. *Decides* to maintain the posts of Deputy Special Representative of the Secretary-General and Chief Administrative Officer at their originally authorized levels, and approves the reclassification of the post of Chief of the Human Rights Division at the D-1 level;

7. *Requests* the Secretary-General to take all necessary action to ensure that the Observer Mission is administered with a maximum of efficiency and economy;

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[9] A/51/957.

[10] A/51/494/Add.3 and A/52/385 and Corr.1.

[11] A/52/478 and Corr.1.

8. *Also requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to take the necessary steps to employ locally recruited staff for the Observer Mission against General Service posts, commensurate with the operational requirements of such posts, and to report on this matter to the General Assembly;

9. *Further requests* the Secretary-General to entrust to the Office of Internal Oversight Services the preparation of a report to the General Assembly, at the first part of its resumed fifty-second session, on the audit findings on the procurement process in the Verification Mission and to provide a written report to the Assembly, at the second part of its resumed fifty-second session, on efforts to recover losses and corrective measures taken;

10. *Decides* to continue to use the Special Account for the United Nations Angola Verification Mission, established in accordance with General Assembly resolution 43/231, for the United Nations Observer Mission in Angola beginning 1 July 1997;

11. *Decides also* that the proposed 25 per cent reduction in the civilian establishment is not commensurate with the nearly 94 per cent reduction in the military component, and that, in the absence of adequate justification, the proposed civilian establishment should be reduced by at least 10 per cent;

12. *Decides further* to appropriate the amount of 155 million dollars gross (150,371,600 dollars net) for the operation of the Observer Mission for the period from 1 July 1997 to 30 June 1998, inclusive of the amount of 49,975,500 dollars gross (48,202,500 dollars net) authorized by the Advisory Committee for the period from 1 July to 31 October 1997;

13. *Decides*, as an ad hoc arrangement, to apportion the amount of 76,054,200 dollars gross (74,362,800 dollars net) for the period from 1 July to 31 October 1997 among Member States, in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolutions 44/192 B of 21 December 1989, 45/269 of 27 August 1991, 46/198 A of 20 December 1991, 47/218 A of 23 December 1992, 49/249 A of 20 July 1995, 49/249 B of 14 September 1995, 50/224 of 11 April 1996 and 51/218 A and B of 18 December 1996 and its decisions 48/472 A of 23 December 1993 and 50/451 B and 50/471 A of 23 December 1995, and taking into account the scale of assessments for the year 1997, as set out in its resolution 49/19 B of 23 December 1994;

14. *Decides also* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 13 above, their respective share in the Tax Equalization Fund of the additional estimated staff assessment income of 1,691,400 dollars approved for the period from 1 July to 31 October 1997;

15. *Decides further*, as an ad hoc arrangement, to apportion the amount of 78,945,800 dollars gross (76,008,800 dollars net) for the period from 1 November 1997 to 30 June 1998 among Member States at the monthly rates indicated in the annex below, in accordance with the scheme set out in the present resolution and the scale of assessments for the year 1998,[12] and subject to the decision of the Security Council to extend the mandate of the Observer Mission beyond 31 October 1997;

16. *Decides* that, for Member States that have fulfilled their financial obligations to the Verification Mission, there shall be set off against their apportionment, as provided for in paragraph 13 above, their respective share in the unencumbered balance of 18,926,500 dollars gross (18,667,900 dollars net) for the period from 1 January to 30 June 1996;

17. *Decides also* that, for Member States that have not fulfilled their financial obligations to the Verification Mission, their share of the unencumbered balance of 18,926,500 dollars gross (18,667,900 dollars net) for the period from 1 January to 30 June 1996 shall be set off against their outstanding obligations;

18. *Invites* voluntary contributions to the Observer Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure established by the General Assembly in its resolutions 43/230 of 21 December 1988, 44/192 A of 21 December 1989 and 45/258 of 3 May 1991;

19. *Decides* to keep under review during its fifty-second session the agenda items entitled "Financing of the United Nations Angola Verification Mission" and "Financing of the United Nations Observer Mission in Angola".

42nd plenary meeting
31 October 1997

ANNEX

Monthly assessments for the operation of the United Nations Observer Mission in Angola for the period from 1 November 1997 to 30 June 1998

(United States dollars)

Month	Gross	Net
November 1997	15 827 600	15 404 800
December 1997	12 101 600	11 678 800
January 1998	10 096 500	9 722 700
February 1998	9 174 300	8 800 500
March 1998	8 208 000	7 849 100
April 1998	8 118 000	7 759 200
May 1998	7 731 200	7 418 100
June 1998	7 688 600	7 375 600
Total	78 945 800	76 008 800

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[12] See resolution 52/215 A.

52/177. Death and disability benefits

The General Assembly,

Recalling paragraph 6 of section II of its resolution 51/218 E of 17 June 1997,

Having considered the report of the Secretary-General on death and disability benefits[13] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[14] as well as the views expressed by Member States in the Fifth Committee,[15]

Emphasizing the need for early settlement of death and disability claims,

1. *Takes note* of the report of the Secretary-General on death and disability benefits;[13]

2. *Takes note also* of the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions;[14]

3. *Authorizes* the Secretary-General to implement without delay the administrative and payment arrangements and procedures contained in section II of his report for the payment of awards in cases of death and disability sustained by troops for incidents occurring after 30 June 1997;

4. *Reiterates its request* to the Secretary-General, in accordance with its resolution 51/218 E, to present, as soon as possible and not later than April 1998, proposals for administrative resource reductions resulting from this new simplified system;

5. *Also reiterates its request* to the Secretary-General to present, in his next report, information on the cost of the new self-insurance system;

6. *Requests* the Secretary-General to settle the death and disability claims as soon as possible but not later than three months from the date of submission of a claim;

7. *Also requests* the Secretary-General to continue, in the new system, to take into account, when considering all mission-related death and disability claims, that such injury or death should be compensable, unless such injury or death was caused by the gross negligence or wilful misconduct of the injured or deceased member of the contingent, and further requests the Secretary-General to include this notion in the aide-mémoire for troop-contributing countries.

76th plenary meeting
18 December 1997

52/212. Financial reports and audited financial statements, and reports of the Board of Auditors

The General Assembly,

Having considered, for the year ended 31 December 1996, the financial report and audited financial statements of the United Nations Institute for Training and Research and the related report of the Board of Auditors,[16] the audited financial statements of the voluntary funds administered by the United Nations High Commissioner for Refugees and the related report of the Board of Auditors,[17] the report on measures taken or to be taken by the United Nations Institute for Training and Research and the Office of the United Nations High Commissioner for Refugees in response to the recommendations of the Board of Auditors,[18] the concise summary of principal findings, conclusions and recommendations contained in the reports of the Board of Auditors[19] and the report of the Advisory Committee on Administrative and Budgetary Questions,[20]

Taking into account the views expressed by delegations and the Board of Auditors during the debate in the Fifth Committee on the financial reports and audited financial statements and the reports of the Board of Auditors on the aforementioned organizations,[21]

Taking note of the measures taken by the Executive Director of the United Nations Institute for Training and Research and the United Nations High Commissioner for Refugees to implement the current recommendations of the Board of Auditors,

Commending the Board of Auditors for carrying out its reviews in a comprehensive and efficient manner,

Recognizing the difficult conditions under which the Office of the High Commissioner does its work,

Noting the observation of the Board of Auditors, in paragraphs 25 to 30 of its report,[16] that the administrative expenditures from the General Fund of the United Nations Institute for Training and Research have been increasing even as its total income has been decreasing over the last several years,

Expressing concern that the headquarters of the United Nations High Commissioner for Refugees selected for submission of quotations vendors from a very narrow geographical base,

1. *Accepts* the financial reports and audited financial statements and the audit opinions and reports of the Board of Auditors on the United Nations Institute for Training and

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[13] A/52/369.

[14] A/52/410.

[15] See *Official Records of the General Assembly, Fifty-second Session, Fifth Committee*, 6th, 7th, 21st and 22nd meetings (A/C.5/52/SR.6, 7, 21 and 22), and corrigendum.

[16] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 5D* (A/52/5/Add.4).

[17] Ibid., *Supplement No. 5E* (A/52/5/Add.5).

[18] A/52/381.

[19] A/52/261, annex.

[20] A/52/518.

[21] See *Official Records of the General Assembly, Fifty-second Session, Fifth Committee*, 27th, 29th and 30th meetings (A/C.5/52/SR.27, 29 and 30), and corrigendum.

Research and the voluntary funds administered by the United Nations High Commissioner for Refugees;

2. *Also accepts* the concise summary of principal findings, conclusions and recommendations of the Board of Auditors[19] and the comments thereon contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[20] with the exception of the request in paragraph 17 of the report;

3. *Requests* the Board of Auditors to further improve its reports by including short executive summaries, highlighted text boxes and a more concise narrative;

4. *Also requests* the Board of Auditors to monitor compliance with the relevant provisions on consultants in General Assembly resolution 51/226, section VI, of 3 April 1997;

5. *Welcomes* the introduction of a new section, pursuant to section A, paragraph 7, of General Assembly resolution 51/225 of 3 April 1997, in the reports of the Board of Auditors, highlighting the previous recommendations which had not been fully implemented;

6. *Requests* the Executive Director of the United Nations Institute for Training and Research and the United Nations High Commissioner for Refugees to complete the implementation of the recommendations of the Board of Auditors;

7. *Endorses* the request of the Advisory Committee that the Executive Director of the Institute and the High Commissioner consult with the Board of Auditors on the implications of submitting biennial reports instead of annual reports, and to report thereon to the General Assembly at its fifty-third session;[22]

8. *Reiterates* its request that the Office of the United Nations High Commissioner for Refugees comply fully with the United Nations system accounting standards;

9. *Expresses concern* at the observations made by the Board of Auditors, in paragraphs 79 to 98 of its report, regarding the use of consultants, and endorses its recommendations thereon;[23]

10. *Recommends*, in accordance with the relevant recommendations in the report of the Advisory Committee, that the Office of the High Commissioner take immediate steps to improve its contracting policy, to prepare more precise terms of reference and to establish and maintain an updated central roster;[24]

11. *Requests* the Office of the High Commissioner fully to observe and implement the established procedure for procurement, including procurement of goods and services from as wide a geographical basis as possible, and the provisions of General Assembly resolution 51/231 of 13 June 1997.

79th plenary meeting
22 December 1997

52/213. Programme budget for the biennium 1996-1997

A

FINAL BUDGET APPROPRIATIONS FOR THE BIENNIUM 1996-1997

The General Assembly

1. *Takes note* of the second performance report of the Secretary-General on the programme budget for the biennium 1996-1997,[25] and the related report of the Advisory Committee on Administrative and Budgetary Questions, as presented orally;[26]

2. *Notes* that the Advisory Committee has yet to review the ninth progress report of the Secretary-General on the Integrated Management Information System;[27]

3. *Approves* the recommendation of the Advisory Committee[26] concerning the second performance report on the programme budget for the biennium 1996-1997, subject to the provisions of the present resolution;

4. *Requests* the Advisory Committee to examine the ninth progress report of the Secretary-General on the Integrated Management Information System[27] in conjunction with its consideration of the related report of the Board of Auditors,[28] and, in this regard, invites the Advisory Committee to report to the General Assembly on the matter at its resumed fifty-second session;

5. *Decides* that, pending consideration by the General Assembly of the reports concerning the Integrated Management Information System at its resumed fifty-second session, the supplementary provision for the System of 3 million United States dollars, provided in the final budget appropriations for the biennium 1996-1997, should not be encumbered without the prior approval of the Advisory Committee;

6. *Resolves* that for the biennium 1996-1997:

(*a*) The amount of 2,603,280,900 dollars appropriated by its resolution 51/222 A of 18 December 1996 shall be decreased by 61,209,000 dollars as follows:

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[22] See A/52/518, para. 3.

[23] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 5E* (A/52/5/Add.5), sect. I.C.

[24] A/52/518, para. 12.

[25] A/C.5/52/32 and Corr.1.

[26] See *Official Records of the General Assembly, Fifty-second Session, Fifth Committee*, 42nd meeting (A/C.5/52/SR.42), and corrigendum.

[27] A/52/711.

[28] A/52/755.

Section	*Amount approved by resolution 51/222 A*	*Increase or (decrease)*	*Final appropriation*
	(United States dollars)		
PART I. *Overall policy-making, direction and coordination*			
1. Overall policy-making, direction and coordination	39 349 200	(648 000)	38 701 200
TOTAL, PART I	**39 349 200**	**(648 000)**	**38 701 200**
PART II. *Political affairs*			
2. Political affairs	58 936 400	(2 423 900)	56 512 500
3. Peacekeeping operations and special missions	135 505 300	17 265 300	152 770 600
4. Outer space affairs	4 176 400	(49 700)	4 126 700
TOTAL, PART II	**198 618 100**	**14 791 700**	**213 409 800**
PART III. *International justice and law*			
5. International Court of Justice	19 985 900	171 800	20 157 700
6. Legal activities	30 254 500	(580 400)	29 674 100
TOTAL, PART III	**50 240 400**	**(408 600)**	**49 831 800**
PART IV. *International cooperation for development*			
7A. Department for Policy Coordination and Sustainable Development	41 938 300	(277 700)	41 660 600
7B. Africa: critical economic situation, recovery and development	4 365 800	149 500	4 515 300
8. Department for Economic and Social Information and Policy Analysis	47 276 200	(1 821 300)	45 454 900
9. Department for Development Support and Management Services	26 811 400	576 300	27 387 700
10A. United Nations Conference on Trade and Development	110 226 300	(6 252 900)	103 973 400
10B. International Trade Centre UNCTAD/GATT	22 326 600	(2 343 400)	19 983 200
11. United Nations Environment Programme	8 231 100	(1 201 400)	7 029 700
12. United Nations Centre for Human Settlements (Habitat)	11 731 700	(150 800)	11 580 900
13. Crime control	5 194 900	(740 200)	4 454 700
14. International drug control	16 195 000	(909 700)	15 285 300
TOTAL, PART IV	**294 297 300**	**(12 971 600)**	**281 325 700**
PART V. *Regional cooperation for development*			
15. Economic Commission for Africa	82 360 900	(7 267 200)	75 093 700
16. Economic and Social Commission for Asia and the Pacific	67 487 300	(6 313 000)	61 174 300
17. Economic Commission for Europe	47 951 700	(4 429 300)	43 522 400

Section	*Amount approved by resolution 51/222 A*	*Increase or (decrease)*	*Final appropriation*
	(United States dollars)		
18. Economic Commission for Latin America and the Caribbean	82 515 400	(5 631 700)	76 883 700
19. Economic and Social Commission for Western Asia	34 143 300	(171 800)	33 971 500
20. Regular programme of technical cooperation	37 375 900	-	37 375 900
TOTAL, PART V	**351 834 500**	**(23 813 000)**	**328 021 500**
PART VI. *Human rights and humanitarian affairs*			
21. Human rights	48 000 600	(2 746 400)	45 254 200
22. Office of the United Nations High Commissioner for Refugees	50 139 100	(2 554 500)	47 584 600
23. United Nations Relief and Works Agency for Palestine Refugees in the Near East	17 304 900	972 900	18 277 800
24. Department of Humanitarian Affairs	18 955 500	(448 600)	18 506 900
TOTAL, PART VI	**134 400 100**	**(4 776 600)**	**129 623 500**
PART VII. *Public information*			
25. Public information	132 390 800	254 100	132 644 900
TOTAL, PART VII	**132 390 800**	**254 100**	**132 644 900**
PART VIII. *Common support services*			
26. Administration and management	916 081 500	(21 865 800)	894 215 700
TOTAL, PART VIII	**916 081 500**	**(21 865 800)**	**894 215 700**
PART IX. *Jointly financed activities and special expenses*			
27. Jointly financed administrative activities	27 483 800	(738 600)	26 745 200
28. Special expenses	41 350 400	1 384 100	42 734 500
TOTAL, PART IX	**68 834 200**	**645 500**	**69 479 700**
PART X. *Office of Internal Oversight Services*			
29. Office of Internal Oversight Services	15 011 500	(384 700)	14 626 800
TOTAL, PART X	**15 011 500**	**(384 700)**	**14 626 800**
PART XI. *Capital expenditures*			
30. Technological innovations	21 300 200	2 944 800	24 245 000
31. Construction, alteration, improvement and major maintenance	28 648 800	(2 117 800)	26 531 000
TOTAL, PART XI	**49 949 000**	**827 000**	**50 776 000**

Section	*Amount approved by resolution 51/222 A*	*Increase or (decrease)*	*Final appropriation*
	(United States dollars)		
PART XII. *Staff assessment*			
32. Staff assessment	348 280 600	(12 859 000)	335 421 600
TOTAL, PART XII	**348 280 600**	**(12 859 000)**	**335 421 600**
PART XIII. *International Seabed Authority*			
33. International Seabed Authority	3 993 700	-	3 993 700
TOTAL, PART XIII	**3 993 700**	-	**3 993 700**
GRAND TOTAL	**2 603 280 900**	**(61 209 000)**	**2 542 071 900**

(*b*) The Secretary-General shall be authorized to transfer credits between sections of the budget, with the concurrence of the Advisory Committee on Administrative and Budgetary Questions;

(*c*) In addition to the appropriations approved under paragraph (*a*) above, an amount of 51,000 dollars is appropriated for each year of the biennium 1996-1997 from the accumulated income of the Library Endowment Fund for the purchase of books, periodicals, maps and library equipment and for such other expenses of the Library at the Palais des Nations as are in accordance with the objects and provisions of the endowment.

79th plenary meeting
22 December 1997

B

FINAL INCOME ESTIMATES FOR THE BIENNIUM 1996-1997

The General Assembly

Resolves that for the biennium 1996-1997:

(*a*) The estimates of income of 447,737,600 United States dollars approved by its resolution 51/222 B of 18 December 1996 shall be decreased by 28,700,100 dollars as follows:

Income section	*Amount approved by resolution 51/222 B*	*Increase or (decrease)*	*Final estimates*
	(United States dollars)		
1. Income from staff assessment	363 496 600	(23 461 600)	340 035 000
TOTAL, INCOME SECTION 1	**363 496 600**	**(23 461 600)**	**340 035 000**
2. General income	82 019 600	(6 143 300)	75 876 300
3. Services to the public	2 221 400	904 800	3 126 200
TOTAL, INCOME SECTIONS 2 AND 3	**84 241 000**	**(5 238 500)**	**79 002 500**
GRAND TOTAL	**447 737 600**	**(28 700 100)**	**419 037 500**

(*b*) The income from staff assessment shall be credited to the Tax Equalization Fund in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955;

(*c*) Direct expenses of the United Nations Postal Administration, services to visitors, catering and related services, garage operations, television services and the sale of publications, not provided for under the budget appropriations, shall be charged against the income derived from those activities.

79th plenary meeting
22 December 1997

52/214. Pattern of conferences

The General Assembly,

A

Having considered the report of the Committee on Conferences,[29]

Recalling its relevant resolutions, including resolutions 40/243 of 18 December 1985, 43/222 B of 21 December 1988, 47/202 A of 22 December 1992, 48/222 A of 23 December 1993, 49/221 A of 23 December 1994, 50/206 A of 23 December 1995 and 51/211 A of 18 December 1996,

Taking note with concern of the difficulties experienced by some Member States owing to the lack of conference services for meetings of regional and other major groupings of Member States,

1. *Notes with appreciation* the work of the Committee on Conferences, and takes note of its report;[29]

2. *Approves* the draft biennial calendar of conferences and meetings of the United Nations for 1998-1999 as submitted by the Committee on Conferences,[30] subject to the provisions of the present resolution;

3. *Authorizes* the Committee on Conferences to make adjustments in the calendar of conferences and meetings for 1998 that may become necessary as a result of actions and decisions taken by the General Assembly at its fifty-second session;

4. *Requests* the Secretary-General to provide all the conference services required as a result of decisions taken by the General Assembly at its fifty-second session, taking into account, as necessary, the procedures established in Assembly resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987;

5. *Decides* that henceforth the two holidays of Id al-Fitr and Id al-Adha shall be observed as official holidays of the United Nations at Headquarters, and at other duty stations where applicable, and that United Nations buildings at those locations shall be closed to the public on those days;

6. *Decides also* that no United Nations meetings shall be held on Id al-Fitr and Id al-Adha, which occur in 1998 on 29 January and 7 April, respectively, and requests the Secretary-General to ensure strict implementation of this decision and of paragraph 5 above when preparing all future draft calendars of conferences and meetings of the United Nations;

7. *Expresses concern* that 32 per cent of requests were denied for interpretation services for meetings of regional and other major groupings of Member States, in view of the importance of those meetings for the smooth functioning of sessional bodies, while recognizing that meetings of Charter and mandated bodies must be serviced as a priority;

8. *Urges* intergovernmental bodies to spare no effort at the planning stage to take into account meetings of regional and other major groupings of Member States, to make provision for such meetings in their programmes of work and to notify the conference services well in advance of any cancellations so that unutilized conference-servicing resources may, to the extent possible, be reassigned to meetings of regional and other major groupings of States;

9. *Decides* to include all necessary resources in the budget for the biennium 1998-1999 to provide interpretation services for meetings of regional and other major groupings of Member States upon request by those groupings, on an ad hoc basis, in accordance with established practice, and requests the Secretary-General to submit to the General Assembly at its fifty-third session, through the Committee on Conferences, a report on the implementation of this decision;

10. *Emphasizes* the importance of providing adequate conference-servicing resources to all United Nations conference centres;

11. *Welcomes* the improvement, relative to 1995, in the overall utilization factor for 1996, which exceeded the benchmark of 80 per cent, in particular at Geneva and Vienna;

12. *Notes with concern* the underutilization of conference facilities at the United Nations Office at Nairobi;

13. *Calls for* better utilization of conference facilities at the United Nations Office at Nairobi;

14. *Encourages* all the subsidiary bodies of the Governing Council of the United Nations Environment Programme, the Commission on Human Settlements and other United Nations bodies to hold their meetings at the United Nations Office at Nairobi to the extent possible;

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[29] A/52/32 and Add.1-3. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 32.*

[30] A/52/32, annexes I-V, and Add.2 and 3. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 32.*

15. *Requests* the Secretary-General to assist the aforementioned bodies in improving this situation and to report to the General Assembly at its fifty-third session, through the Committee on Conferences, on the actions taken to this end;

16. *Reiterates its request* to the Committee on Conferences, in consultation with the organs concerned, to examine the cases where the utilization factor has been lower than 80 per cent for at least three sessions, with a view to making appropriate recommendations in order to achieve the optimum utilization of conference-servicing resources;

17. *Reaffirms* its decision that the headquarters rule shall be adhered to by all bodies;

18. *Decides* that waivers to the headquarters rule shall be granted solely on the basis of the calendar of conferences and meetings of the United Nations which the Committee on Conferences recommended for adoption by the General Assembly;

19. *Invites* all its subsidiary bodies that are authorized to meet away from their established headquarters to keep under review the exception to the headquarters rule in the light of the current situation of their work and to report any changes to the General Assembly through the Committee on Conferences;

B

Recalling its resolutions 47/202 B of 22 December 1992, 48/222 B of 23 December 1993, 49/221 B of 23 December 1994, 50/206 B and C of 23 December 1995 and 51/211 B of 18 December 1996,

Regretting the delayed issuance of the report of the Secretary-General on the report of the Joint Inspection Unit on United Nations publications,[31]

1. *Takes note* of the report of the Secretary-General on the control and limitation of documentation;[32]

2. *Also takes note* of the report of the Joint Inspection Unit on United Nations publications,[33] the positive opinion of the Committee on Conferences thereon and the report of the Secretary-General thereon,[31] and decides to consider both reports at its resumed fifty-second session;

3. *Expresses deep concern* about the decline in the quality of some reports and documents originating in the Secretariat;

4. *Notes* the decision of the Secretary-General that documents originating in the Secretariat should be no longer than sixteen pages;

5. *Emphasizes* that this reduction should not adversely affect either the quality of presentation or the content of the documents;

6. *Stresses once again* the need for strict compliance with the existing page limit for reports of subsidiary bodies;

7. *Invites* all intergovernmental bodies to consider, where appropriate, the possibility of reducing the length of their reports from the desired limit of thirty-two pages to twenty pages over a period of time without adversely affecting either the quality of presentation or the content of the reports;

8. *Decides* to keep under review the length and quality of all documents;

9. *Reiterates its request* to United Nations bodies and to the Secretary-General to ensure respect for equal treatment of the six official languages of the United Nations;

10. *Expresses deep concern* about difficulties experienced by some Member States owing to the suspension of some publications in all official languages and the delay in the translation of official documents;

11. *Decides*, in this regard, to request the Secretary-General to provide all necessary resources to reverse this situation;

12. *Requests* the Secretary-General to take steps to improve the quality and accuracy of meeting records in all six official languages through full reliance, in the preparation and translation of those records, on sound recordings and written texts of statements as they were delivered in the original languages, and to issue those records within a reasonable time-frame;

13. *Also requests* the Secretary-General to ensure that the summary records of the Fifth Committee, given the technical complexity of their subject matter, are prepared by experienced language staff who are thoroughly familiar with current administrative and financial developments in the Organization, and are issued within a reasonable time-frame;

14. *Further requests* the Secretary-General to continue to improve and accelerate the accurate translation of documents into the official languages, giving special significance to the quality of translation;

15. *Stresses* the need to strengthen the monitoring of contractual translations to ensure that they meet the quality requirements for United Nations documents;

16. *Requests* the Secretary-General to ensure that summary records are translated in all six official languages concurrently;

17. *Also requests* the Secretary-General to continue his efforts, where appropriate, to introduce new technologies such as machine-assisted translation and common terminology databases;

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[31] A/52/685, annex.

[32] A/52/291.

[33] See A/51/946.

18. *Expresses deep concern* that the limits to self-revision have not been kept at a level that would ensure a high quality of translation;

19. *Requests* the Secretary-General to reinstate the post of reviser in the six official languages;

20. *Reiterates its request* to the Secretary-General to ensure that documentation is available in accordance with the six-week rule for the distribution of documents simultaneously in the six official languages of the General Assembly;

21. *Regrets* that there continue to be delays in the submission of documents to the conference services;

22. *Reaffirms its decision* that, if a report is issued late, the reasons for the delay should be indicated when the report is introduced;

23. *Requests* the Committee on Conferences to review the late issuance of documents and to suggest remedial action for consideration by the General Assembly at its fifty-third session;

24. *Requests* the Secretary-General to direct all departments to include, where appropriate, the following elements in reports originating in the Secretariat:

(*a*) A summary of the report;

(*b*) Consolidated conclusions, recommendations and other proposed actions;

(*c*) Relevant background information;

25. *Decides* that all documents submitted to legislative bodies for consideration and action should have conclusions and recommendations in bold print;

26. *Expresses deep concern* about the technical and audio quality of some conference rooms, and, in this regard, requests the Secretary-General to present proposals at the first part of the resumed fifty-second session of the General Assembly in order to ensure all necessary resources for the upgrading of those conference rooms, including the interpretation booths;

C

Recalling its resolutions 50/206 D of 23 December 1995, 51/211 C of 18 December 1996 and 51/211 F of 15 September 1997,

Stressing the importance of equal access to, and benefit from, the optical disk system and other new technologies in all six official languages for all Member States and the need to overcome the difficulties faced by some Member States, in particular developing countries, in acquiring the technology to access the optical disk system, as well as other available technologies,

Appreciating the actions taken by the Ad Hoc Open-ended Working Group on Informatics of the Economic and Social Council to achieve universal connectivity between the United Nations databases and those of Member States, including through their permanent missions, and the training programmes initiated to that end,

Also appreciating the efforts of the Secretary-General to incorporate new information technologies in the work of the Organization,

1. *Recognizes* the efforts to provide wider access to the optical disk system, while continuing to ensure the availability of hard copies of documents for Member States, in particular for developing countries;

2. *Reiterates its request* to the Secretary-General to ensure that the texts of all new public documents, in all six official languages, and information materials of the United Nations are made available through the United Nations Web site daily and are accessible to Member States without delay;

3. *Requests* the Secretary-General to issue public information material in all official languages on the United Nations Web site as soon as possible, and to report on the implementation of this decision to the General Assembly at its fifty-third session through the Committee on Information;

4. *Also requests* the Secretary-General to complete the task of uploading all important older United Nations documents on the United Nations Web site in all six official languages on a priority basis, so that these archives are also available to Member States through that medium;

5. *Further requests* the Secretary-General to continue work on providing access to the optical disk system in the six official languages on an equal basis;

D

Recalling its resolutions 50/206 D of 23 December 1995 and 51/211 C of 18 December 1996,

Stressing the need to provide Member States and United Nations bodies with more comprehensive and accurate information on the costs of meetings and documentation,

Noting the possible benefits of the cost-accounting system for the financial efficiency of the United Nations,

1. *Requests* the Secretary-General, as a matter of priority, to expedite the development of the cost-accounting system for conference services in 1998 and to extend it to other areas of the Secretariat, ensuring that the system reflects the experience of other duty stations;

2. *Encourages* the Secretary-General, to the extent possible, to utilize in-house resources to implement the cost-accounting system;

3. *Requests* the Secretary-General to report to the General Assembly by 31 July 1998, through the Committee on Conferences and the Advisory Committee on Administrative and Budgetary Questions, on measures taken to develop further the cost-accounting system;

E

Recalling its decision 38/401 of 23 September 1983 concerning the prohibition of smoking in small conference rooms and the discouragement of smoking in large conference rooms,

1. *Calls on* representatives of Member States to abide by decision 38/401;

2. *Encourages* all users of United Nations conference facilities, in order to avoid involuntary exposure to passive smoking, to refrain from smoking, in particular in conference rooms.

79th plenary meeting
22 December 1997

52/215. Scale of assessments for the apportionment of the expenses of the United Nations

A

The General Assembly,

Recognizing the obligation of Member States, under Article 17 of the Charter of the United Nations, to bear the expenses of the Organization as apportioned by the General Assembly,

Reaffirming the fundamental principle that the expenses of the Organization should be apportioned among Member States, broadly according to their capacity to pay, in accordance with rule 160 of its rules of procedure,

Having considered the report of the Committee on Contributions on the work of its fifty-seventh session,[34]

1. *Decides* that the scale of assessments for the period 1998-2000 shall be based on the following elements and criteria:

(*a*) Data on the gross national product;

(*b*) A statistical base period of six years;

(*c*) Conversion rates as recommended by the Committee on Contributions;[34]

(*d*) A debt-burden adjustment in 1998 based on actual principal repayments and in 1999 and 2000 on the debt-adjustment approach employed in the scale of assessments for the period 1995-1997;

(*e*) A low per capita income adjustment, with a per capita income limit of the average world per capita income for the statistical base period and a gradient of 80 per cent;

(*f*) A minimum assessment rate of 0.001 per cent;

(*g*) A ceiling rate of 25 per cent;

(*h*) Individual rates of assessment for the least developed countries not to exceed the current level of 0.01 per cent;

(*i*) The phasing out of the scheme of limits in accordance with General Assembly resolution 48/223 B of 23 December 1993;

(*j*) In phasing out the scheme of limits before the year 2001, the allocation of additional points resulting therefrom to developing countries benefiting from its application limited to 15 per cent of the effect of the phase-out;

(*k*) The limitation referred to in paragraph 2 of General Assembly resolution 51/212 B of 3 April 1997;

2. *Resolves* that the scale of assessments for the contributions of Member States to the regular budget of the United Nations for the years 1998, 1999 and 2000 shall be as follows:

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[34] *Official Records of the General Assembly, Fifty-first Session, Supplement No. 11* and corrigenda (A/51/11 and Corr.1 and 2).

Member State	*1998*	*1999*	*2000*
		(*Percentage*)	
Afghanistan	0.004	0.003	0.003
Albania	0.003	0.003	0.003
Algeria	0.116	0.094	0.086
Andorra	0.004	0.004	0.004
Angola	0.010	0.010	0.010
Antigua and Barbuda	0.002	0.002	0.002
Argentina	0.768	1.024	1.103
Armenia	0.027	0.011	0.006
Australia	1.471	1.482	1.483
Austria	0.935	0.941	0.942
Azerbaijan	0.060	0.022	0.011
Bahamas	0.015	0.015	0.015
Bahrain	0.018	0.017	0.017
Bangladesh	0.010	0.010	0.010
Barbados	0.008	0.008	0.008
Belarus	0.164	0.082	0.057
Belgium	1.096	1.103	1.104
Belize	0.001	0.001	0.001
Benin	0.002	0.002	0.002
Bhutan	0.001	0.001	0.001
Bolivia	0.008	0.007	0.007
Bosnia and Herzegovina	0.005	0.005	0.005
Botswana	0.010	0.010	0.010
Brazil	1.514	1.470	1.471
Brunei Darussalam	0.020	0.020	0.020
Bulgaria	0.045	0.019	0.011
Burkina Faso	0.002	0.002	0.002
Burundi	0.001	0.001	0.001
Cambodia	0.001	0.001	0.001
Cameroon	0.014	0.013	0.013
Canada	2.825	2.754	2.732

Member State	*1998*	*1999*	*2000*
		(*Percentage*)	
Cape Verde	0.001	0.002	0.002
Central African Republic	0.002	0.001	0.001
Chad	0.001	0.001	0.001
Chile	0.113	0.131	0.136
China	0.901	0.973	0.995
Colombia	0.108	0.109	0.109
Comoros	0.001	0.001	0.001
Congo	0.003	0.003	0.003
Costa Rica	0.017	0.016	0.016
Côte d'Ivoire	0.012	0.009	0.009
Croatia	0.056	0.036	0.030
Cuba	0.039	0.026	0.024
Cyprus	0.034	0.034	0.034
Czech Republic	0.169	0.121	0.107
Democratic People's Republic of Korea	0.031	0.019	0.015
Democratic Republic of the Congo	0.008	0.007	0.007
Denmark	0.687	0.691	0.692
Djibouti	0.001	0.001	0.001
Dominica	0.001	0.001	0.001
Dominican Republic	0.016	0.015	0.015
Ecuador	0.022	0.020	0.020
Egypt	0.069	0.065	0.065
El Salvador	0.012	0.012	0.012
Equatorial Guinea	0.001	0.001	0.001
Eritrea	0.001	0.001	0.001
Estonia	0.023	0.015	0.012
Ethiopia	0.007	0.006	0.006
Fiji	0.004	0.004	0.004
Finland	0.538	0.542	0.543
France	6.494	6.540	6.545
Gabon	0.018	0.015	0.015
Gambia	0.001	0.001	0.001

Member State	*1998*	*1999*	*2000*
		(*Percentage*)	
Georgia	0.058	0.019	0.007
Germany	9.630	9.808	9.857
Ghana	0.007	0.007	0.007
Greece	0.368	0.351	0.351
Grenada	0.001	0.001	0.001
Guatemala	0.019	0.018	0.018
Guinea	0.003	0.003	0.003
Guinea-Bissau	0.001	0.001	0.001
Guyana	0.001	0.001	0.001
Haiti	0.002	0.002	0.002
Honduras	0.004	0.003	0.003
Hungary	0.119	0.120	0.120
Iceland	0.032	0.032	0.032
India	0.305	0.299	0.299
Indonesia	0.173	0.184	0.188
Iran (Islamic Republic of)	0.303	0.193	0.161
Iraq	0.087	0.045	0.032
Ireland	0.223	0.224	0.224
Israel	0.329	0.345	0.350
Italy	5.394	5.432	5.437
Jamaica	0.006	0.006	0.006
Japan	17.981	19.984	20.573
Jordan	0.008	0.006	0.006
Kazakhstan	0.124	0.066	0.048
Kenya	0.007	0.007	0.007
Kuwait	0.154	0.134	0.128
Kyrgyzstan	0.015	0.008	0.006
Lao People's Democratic Republic	0.001	0.001	0.001
Latvia	0.046	0.024	0.017
Lebanon	0.016	0.016	0.016
Lesotho	0.002	0.002	0.002
Liberia	0.002	0.002	0.002

Member State	*1998*	*1999*	*2000*
		(*Percentage*)	
Libyan Arab Jamahiriya	0.160	0.132	0.124
Liechtenstein	0.005	0.006	0.006
Lithuania	0.045	0.022	0.015
Luxembourg	0.066	0.068	0.068
Madagascar	0.003	0.003	0.003
Malawi	0.002	0.002	0.002
Malaysia	0.168	0.180	0.183
Maldives	0.001	0.001	0.001
Mali	0.003	0.002	0.002
Malta	0.014	0.014	0.014
Marshall Islands	0.001	0.001	0.001
Mauritania	0.001	0.001	0.001
Mauritius	0.009	0.009	0.009
Mexico	0.941	0.980	0.995
Micronesia (Federated States of)	0.001	0.001	0.001
Monaco	0.003	0.004	0.004
Mongolia	0.002	0.002	0.002
Morocco	0.041	0.041	0.041
Mozambique	0.002	0.001	0.001
Myanmar	0.009	0.008	0.008
Namibia	0.007	0.007	0.007
Nepal	0.004	0.004	0.004
Netherlands	1.619	1.631	1.632
New Zealand	0.221	0.221	0.221
Nicaragua	0.002	0.001	0.001
Niger	0.002	0.002	0.002
Nigeria	0.070	0.040	0.032
Norway	0.605	0.610	0.610
Oman	0.050	0.051	0.051
Pakistan	0.060	0.059	0.059
Palau	0.001	0.001	0.001
Panama	0.016	0.013	0.013

Member State	*1998*	*1999*	*2000*
		(*Percentage*)	
Papua New Guinea	0.007	0.007	0.007
Paraguay	0.014	0.014	0.014
Peru	0.085	0.095	0.099
Philippines	0.077	0.080	0.081
Poland	0.251	0.207	0.196
Portugal	0.368	0.417	0.431
Qatar	0.033	0.033	0.033
Republic of Korea	0.955	0.994	1.006
Republic of Moldova	0.043	0.018	0.010
Romania	0.102	0.067	0.056
Russian Federation	2.873	1.487	1.077
Rwanda	0.002	0.001	0.001
Saint Kitts and Nevis	0.001	0.001	0.001
Saint Lucia	0.001	0.001	0.001
Saint Vincent and the Grenadines	0.001	0.001	0.001
Samoa	0.001	0.001	0.001
San Marino	0.002	0.002	0.002
Sao Tome and Principe	0.001	0.001	0.001
Saudi Arabia	0.594	0.569	0.562
Senegal	0.006	0.006	0.006
Seychelles	0.002	0.002	0.002
Sierra Leone	0.001	0.001	0.001
Singapore	0.167	0.176	0.179
Slovakia	0.053	0.039	0.035
Slovenia	0.060	0.061	0.061
Solomon Islands	0.001	0.001	0.001
Somalia	0.001	0.001	0.001
South Africa	0.365	0.366	0.366
Spain	2.571	2.589	2.591
Sri Lanka	0.013	0.012	0.012
Sudan	0.009	0.007	0.007
Suriname	0.004	0.004	0.004

Member State	*1998*	*1999*	*2000*
		(*Percentage*)	
Swaziland	0.002	0.002	0.002
Sweden	1.099	1.084	1.079
Syrian Arab Republic	0.062	0.064	0.064
Tajikistan	0.008	0.005	0.004
Thailand	0.158	0.167	0.170
The former Yugoslav Republic of Macedonia	0.005	0.004	0.004
Togo	0.002	0.001	0.001
Trinidad and Tobago	0.018	0.017	0.016
Tunisia	0.028	0.028	0.028
Turkey	0.440	0.440	0.440
Turkmenistan	0.015	0.008	0.006
Uganda	0.004	0.004	0.004
Ukraine	0.678	0.302	0.190
United Arab Emirates	0.177	0.178	0.178
United Kingdom of Great Britain and Northern Ireland	5.076	5.090	5.092
United Republic of Tanzania	0.004	0.003	0.003
United States of America	25.000	25.000	25.000
Uruguay	0.049	0.048	0.048
Uzbekistan	0.077	0.037	0.025
Vanuatu	0.001	0.001	0.001
Venezuela	0.235	0.176	0.160
Viet Nam	0.010	0.007	0.007
Yemen	0.010	0.010	0.010
Yugoslavia	0.060	0.034	0.026
Zambia	0.003	0.002	0.002
Zimbabwe	0.009	0.009	0.009
TOTAL	100.000	100.000	100.000

3. *Resolves also* that:

(*a*) Notwithstanding the terms of regulation 5.5 of the Financial Regulations of the United Nations, the Secretary-General shall be empowered to accept, at his discretion and after consultation with the Chairman of the Committee on Contributions, a portion of the contributions of Member States for the calendar years 1998, 1999 and 2000 in currencies other than United States dollars;

(*b*) In accordance with regulation 5.9 of the Financial Regulations of the United Nations, States which are not Members of the United Nations but which participate in certain of its activities shall be called upon to contribute towards the 1998, 1999 and 2000 expenses of the Organization on the basis of the following rates:

Non-member State	*Percentage*
Holy See	0.001
Nauru	0.001
Switzerland	1.215
Tonga	0.001

These rates represent the basis for the calculation of the flat annual fees to be charged to non-member States in accordance with General Assembly resolution 44/197 B of 21 December 1989.

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B

The General Assembly,

Recalling its resolution 50/207 B of 11 April 1996,

1. *Reaffirms* the obligation of Member States under Article 17 of the Charter of the United Nations to bear the expenses of the Organization as apportioned by the General Assembly, and urges all Member States to pay their assessed contributions in full, on time and without imposing conditions, to avoid the financial difficulties being experienced by the Organization;

2. *Takes note* of the observations of the Committee on Contributions[35] concerning the procedural aspects of the consideration of requests for exemption under Article 19 of the Charter;

3. *Calls upon* Member States requesting exemption under Article 19 of the Charter to provide the Committee with the fullest possible information for its review of such requests, bearing in mind the observations in paragraphs 14 and 15 of the report of the Committee;[35]

4. *Requests* the Committee to keep under review the procedural aspects of the consideration of requests for exemption under Article 19 of the Charter, and to make recommendations thereon, as appropriate;

5. *Also requests* the Committee to review current procedures for the application of Article 19 of the Charter, including the possibility of calculating and applying it at the beginning of each calendar year and at the beginning of the peacekeeping financial period on 1 July of each year, and to make recommendations thereon, as appropriate, to the General Assembly before the end of its fifty-third session.

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C

The General Assembly,

Recalling its resolutions 48/223 C of 23 December 1993, 49/19 A of 29 November 1994 and 51/212 B of 3 April 1997,

Recalling also the sections of the reports of the Committee on Contributions on its thorough and comprehensive review of all aspects of the methodology for preparation of the scale of assessments with a view to making it stable, simpler and more transparent while continuing to base it on reliable, verifiable and comparable data,[36]

Having considered the report of the Committee on the work of its fifty-seventh session,[34]

Notes the intention of the Committee on Contributions to review all elements of the scale methodology, including the base period, conversion rates, low per capita income adjustment (including the issue of discontinuity) and annual recalculation, and requests the Committee to take into account the views expressed by Member States.

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[35] Ibid., sect. III.A.

[36] Ibid., *Fiftieth Session, Supplement No. 11* (A/50/11), sect. III; and ibid., *Supplement No. 11A* (A/50/11/Add.1 and 2), part two, sect. V.

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D

The General Assembly

Decides, without prejudice to rule 160 of the rules of procedure of the General Assembly, to consider reviewing the scale of assessments for the years 1999 and 2000 during its resumed fifty-second session, in the light of all relevant factors, including the periodic reports of the Secretary-General on the status of contributions, and to make a determination in this respect early enough to refer this matter to the Committee on Contributions during the fifty-second session of the General Assembly.

79th plenary meeting
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52/216. United Nations common system: report of the International Civil Service Commission

The General Assembly,

Having considered the reports of the International Civil Service Commission,[37]

Reaffirming its commitment to a single, unified United Nations common system as the cornerstone for the regulation and coordination of the conditions of service of the United Nations common system,

Reaffirming the central role of the Commission in the regulation and coordination of the conditions of service of the common system,

Taking note of the statement of the Administrative Committee on Coordination,[38]

I

CONDITIONS OF SERVICE OF STAFF IN THE PROFESSIONAL AND HIGHER CATEGORIES

A. *Examination of the Noblemaire principle and its application*

Recalling section I.B of its resolution 44/198 of 21 December 1989 and section I.A of its resolution 51/216 of 18 December 1996, by which it reaffirmed that the Noblemaire principle should continue to serve as the basis of comparison between United Nations emoluments and those of the highest-paying national civil service,

Recalling also its resolutions related to the study by the Commission of all aspects of the Noblemaire principle,[39]

1. *Reconfirms* the continued application of the Noblemaire principle;

2. *Reaffirms* the need to continue to ensure the competitiveness of the conditions of service of the common system;

3. *Takes note with appreciation* of the study by the Commission to identify the highest-paying national civil service;[40]

4. *Takes note* of the findings and recommendations of the Commission outlined in paragraph 47 of the addendum to its twenty-first annual report;[41]

5. *Notes* that it has not been possible to narrow existing differences on the scope of the study or the applicability of the Master Standard without substantially modifying the approved methodology;

6. *Takes note* of the findings of the Commission outlined in paragraph 54 (*c*) of its twenty-third annual report;[42]

7. *Recognizes* that the actual process of changing comparators is a complex one, with implications for pensions, the currency of record and the location of the base of the United Nations remuneration system;

8. *Acknowledges* its option of margin management;

9. *Takes note* of the observation of the Commission in paragraph 47 (*c*) of the addendum to its twenty-first annual report[41] and the views expressed thereon by Member States;

10. *Requests* the Commission to continue to monitor the situation and to report to the General Assembly when appropriate, and decides to keep these questions under review;

B. *Evolution of the margin*

Recalling the standing mandate from the General Assembly, in which the Commission is requested to continue its review of the relationship between the net remuneration of the United Nations staff in the Professional and higher categories in New York and that of the United States federal civil service employees in comparable positions in Washington, D.C. (referred to as "the margin"),

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[37] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 30* (A/52/30); ibid., *Fifty-first Session, Supplement No. 30* (A/51/30); ibid., *Fiftieth Session, Supplement No. 30* (A/50/30); and ibid., *Supplement No. 30*, addendum (A/50/30/Add.1).

[38] A/C.5/52/28, annex.

[39] Resolution 46/191 A, sects. IV and VI; resolution 47/216, sect. II.C; resolution 48/224, sect. II.A and B; and resolution 49/223, sect. III.A.

[40] See *Official Records of the General Assembly, Fiftieth Session, Supplement No. 30* (A/50/30), paras. 122-172; and ibid., *Supplement No. 30*, addendum (A/50/30/Add.1).

[41] Ibid., *Supplement No. 30*, addendum (A/50/30/Add.1).

[42] Ibid., *Fifty-second Session, Supplement No. 30* (A/52/30).

Notes that the margin between net remuneration of officials in the Professional and higher categories of the United Nations in New York and that of officials in comparable positions in the United States federal civil service for 1997 is 115.7;

C. *Base/floor salary scale*

Recalling section I.H of its resolution 44/198, by which it established a floor net salary level for staff in the Professional and higher categories by reference to the corresponding base net salary levels of officials in comparable positions serving at the base city of the comparator civil service (the federal civil service of the United States of America),

Approves, with effect from 1 March 1998, the revised base scale of gross and net salaries for staff in the Professional and higher categories, contained in annex I to the present resolution, and the consequential amendment to the Staff Regulations of the United Nations, as reflected in annex II to the present resolution;

D. *Post adjustment at Geneva*

Recalling section I.B of its resolution 50/208 of 23 December 1995 related to the establishment in 1996 of a single post adjustment index in respect of staff members whose duty station is Geneva,

Recalling also section I.E of its resolution 51/216, in which it reiterated its request to the Commission urgently to complete its study regarding the methodology for establishing a single post adjustment index for Geneva and to complete the study needed to implement the single post adjustment at the earliest date, and no later than 1 January 1998,

1. *Welcomes with appreciation* the extensive information provided by the Commission and the organizations of the common system, as contained in the report of the Commission;[43]

2. *Notes* that a number of elements have been raised that had not previously been reported upon, or discussed by the General Assembly;

3. *Requests* the Commission to review those elements, *inter alia*, the possibility for staff members of the common system (*a*) to reside in France, (*b*) to travel to France and (*c*) to transport goods between France and Switzerland, and the way in which transitional measures would be introduced under any option proposed by the Commission and approved by the General Assembly, so as to make the application of the post adjustment system more equitable for all staff members whose duty station is Geneva, and to report thereon to the Assembly at its fifty-third session;

4. *Invites* the executive heads of the organizations of the common system to bring this matter[43] to the attention of their governing bodies with a view to considering changes as necessary to their staff regulations and rules;

II

REMUNERATION OF THE GENERAL SERVICE AND OTHER LOCALLY RECRUITED CATEGORIES OF STAFF

A. *Methodologies for surveys of best prevailing conditions of employment at headquarters and non-headquarters duty stations*

Recalling section III of its resolution 47/216 of 23 December 1992, in which it endorsed the reaffirmation by the Commission of the Flemming principle as the basis for determining the conditions of service of the General Service and related categories,

Recalling also section II of its resolution 51/216, in which it requested the Commission, as part of its review of the methodologies for salary setting for staff in the General Service and other locally recruited categories, *inter alia*:

(*a*) To resolve, to the extent possible, inconsistencies between the methodologies applied pursuant to the Flemming principle and the one applied pursuant to the Noblemaire principle, *inter alia*, by examining the question of overlap in remuneration between the two categories,

(*b*) To study the feasibility of increasing the weight of public-sector employers in the salary surveys at headquarters duty stations,

(*c*) To submit a report based on the review of the methodologies to the General Assembly at its fifty-second session,

1. *Reaffirms* that the Flemming principle should continue to serve as the basis for determining the conditions of service of the General Service and related categories;

2. *Endorses* the conclusions of the Commission, and the refinements and modifications to the methodologies set out in paragraphs 126 to 131 of its report,[42] noting that the revisions to the methodologies will be implemented as from 1 January 1998;

3. *Notes* that, at the conclusion of the next round of headquarters General Service salary surveys, the Commission will continue to review all aspects of the methodologies for salary setting for staff in the General Service and other locally recruited categories;

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[43] Ibid., paras. 63-102 and annexes VII-XIV.

B. *Non-pensionable component*

Noting that the review of the non-pensionable component was carried out by the Working Group established by the Commission with the participation of the representatives of the United Nations Joint Staff Pension Board and that the Standing Committee of the Pension Board concurred with the Commission's decisions regarding changes to the procedures used for determining it,

Endorses the modifications decided on by the Commission regarding the various aspects of the non-pensionable component and transitional measures as outlined in paragraph 139 of its report;[42]

C. *Review of the basis for the dependent children's allowance*

Noting that the floor amount for the children's allowance for the staff in the General Service and related categories is currently based on 3 per cent of the mid-point of the local salary scale,

Taking note of the views expressed by Member States,

1. *Endorses* the conclusions and decisions of the Commission as contained in paragraph 150 of its report;[42]

2. *Welcomes* the intention of the Commission to review this question further in its 1999 work programme;

III

CONDITIONS OF SERVICE APPLICABLE TO ALL CATEGORIES OF STAFF

A. *Education grant: review of the methodology for determining the level of the grant*

Recalling section IV of its resolution 47/216 and section IV of its resolution 51/216, in which it endorsed the revised methodology for the determination of the education grant,

Acknowledging that the methodology for determining the level of the education grant introduced in 1992 has functioned reasonably well,

Noting the review of the methodology by the Commission based on the experience of its application during the past three reviews of the level of the grant,

1. *Endorses* the modifications to the methodology by the Commission, as contained in paragraph 163 of its report,[42] and notes that the revised methodology will be taken into account beginning with the 1998 biennial review of the education grant;

2. *Decides* to delegate to the Chairman of the Commission the authority requested in paragraph 164 of the report of the Commission;[42]

B. *Performance management*

Recalling section I.C of its resolution 51/216 and its request to the Commission to provide general comments on the concept of performance awards or bonuses to the General Assembly at its fifty-second session,

Recognizing the differing organizational strategies and cultures prevailing in the common system, and considering that a flexible approach to performance management would be desirable,

1. *Welcomes* the comprehensive information on performance management provided by the Commission in paragraphs 167 to 219 of its report[42] and, in particular, the guidance and recommendations contained in paragraphs 213 and 219;

2. *Decides* to consider the report of the Secretary-General on a system of performance awards or bonuses[44] under agenda item 153, entitled "Human resources management";

3. *Invites* the executive heads of the organizations of the common system to develop their performance management programmes within the parameters set by the Commission in paragraphs 213 and 219 of its report;[42]

C. *Appointments of limited duration*

Recalling section V of its resolution 51/216, in which it requested the Commission to continue its work on the issue of appointments of limited duration without delay,

Endorses the principles and guidelines for the use of appointments of limited duration, and the decisions of the Commission as contained in paragraph 249 of its report;[42]

D. *Standards of travel and per diem*

Recalling its decision 51/465 of 3 April 1997, in which it requested the Commission to review, at the earliest opportunity, taking into account the reports of the Advisory Committee on Administrative and Budgetary Questions[45] and the Joint Inspection Unit,[46] the question of travel entitlements of staff of the common system,

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[44] A/52/439.

[45] *Official Records of the General Assembly, Forty-seventh Session, Supplement No.* 7 (A/47/7 and Add.1-17), document A/47/7/Add.5; and A/49/952.

[46] See A/50/692.

Having considered paragraphs 250 to 276 of the report of the Commission,[42]

1. *Takes note* of the observations of the Commission as contained in paragraph 275 (*a*) of its report;[42]

2. *Invites* the Commission to continue its consideration of this question;

E. *Mission subsistence allowance*

Recalling section IV of its resolution 51/218 E of 17 June 1997, in which it requested the Commission to develop a proposal to provide a post allowance and separate maintenance allowance for those personnel who leave their families at their home duty station while they are on mission assignment,

Notes the intention of the Commission to address this matter in 1998, and requests it to submit a report on the question to the General Assembly at its fifty-third session;

F. *Staff participation in the work of the Commission*

Recalling its resolution 51/216,

1. *Recalls* its request to the Coordinating Committee for International Staff Unions and Associations of the United Nations System and the Federation of International Civil Servants' Associations to resume their participation in the work of the Commission in a spirit of cooperation and non-confrontation;

2. *Takes note with appreciation* of the progress made in this regard through the establishment by the Commission of the Working Group on the Consultative Process and Working Arrangements, comprising members of the Commission and representatives of the organizations and staff bodies, which will meet in January 1998;

G. *New directions in human resources management*

Recalling section IX of its resolution 51/216, in which it requested the Commission to take the lead in analysing new approaches in the human resources management field so as to develop standards, methods and arrangements that will respond to the specific needs of the organizations of the common system, and to report to the General Assembly thereon at its fifty-third session,

1. *Welcomes* the initiative taken by the Commission to hold a forum on new directions in human resources management in 1997;

2. *Also welcomes* the intention of the Commission to submit in 1998 a comprehensive report on new approaches to human resources management;

H. *Gender balance in the common system*

Recalling section VI of its resolution 47/216, in which it urged the organizations of the common system to introduce a coherent plan for improving the status of women in each organization,

1. *Notes* the intention of the Commission to submit in 1998 a report on the representation of women, which will include ways of improving the situation;

2. *Also notes* the intention of the Commission to continue to report on a regular basis both on the extent of implementation of previous recommendations in this area and on new initiatives proposed or introduced by the organizations to enhance the status of women in the common system.

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ANNEX I

Salary scale for the Professional and higher categories showing annual gross salaries and net equivalents after application of staff assessment

(*United States dollars*)

(Effective 1 March 1998)

		Steps														
Level		I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV
Under-Secretary-General																
USG	Gross	147 420														
	Net D	102 130														
	Net S	91 883														
Assistant Secretary-General																
ASG	Gross	133 994														
	Net D	93 671														
	Net S	84 821														
Director																
D-2	Gross	109 741	112 164	114 591	117 016	119 442	121 869									
	Net D	78 390	79 919	81 447	82 975	84 504	86 032									
	Net S	72 056	73 338	74 615	75 890	77 167	78 443									
Principal Officer																
D-1	Gross	97 119	99 168	101 216	103 261	105 310	107 358	109 407	111 476	113 552						
	Net D	70 324	71 633	72 942	74 249	75 558	76 867	78 176	79 485	80 793						
	Net S	65 012	66 156	67 299	68 440	69 583	70 726	71 869	72 976	74 068						
Senior Officer																
P-5	Gross	85 685	87 516	89 347	91 192	93 046	94 898	96 751	98 605	100 457	102 310	104 164	106 016	107 869		
	Net D	62 983	64 168	65 352	66 537	67 721	68 905	70 089	71 274	72 457	73 641	74 826	76 009	77 194		
	Net S	58 486	59 570	60 653	61 705	62 740	63 773	64 807	65 842	66 875	67 909	68 944	69 977	71 011		
First Officer																
P-4	Gross	70 619	72 382	74 141	75 913	77 700	79 483	81 269	83 054	84 839	86 623	88 406	90 197	92 003	93 811	95 619
	Net D	53 196	54 353	55 507	56 660	57 817	58 971	60 126	61 281	62 436	63 590	64 744	65 901	67 055	68 210	69 365
	Net S	49 523	50 584	51 643	52 700	53 758	54 814	55 871	56 928	57 985	59 041	60 096	61 150	62 158	63 166	64 175
Second Officer																
P-3	Gross	57 720	59 351	60 984	62 613	64 246	65 889	67 542	69 197	70 851	72 506	74 159	75 824	77 500	79 176	80 854
	Net D	44 669	45 754	46 839	47 923	49 008	50 093	51 178	52 263	53 348	54 434	55 518	56 603	57 687	58 772	59 858
	Net S	41 685	42 683	43 682	44 679	45 678	46 675	47 670	48 667	49 662	50 658	51 654	52 648	53 640	54 632	55 626
Associate Officer																
P-2	Gross	46 458	47 883	49 305	50 728	52 149	53 572	54 996	56 453	57 915	59 372	60 830	62 291			
	Net D	37 035	38 006	38 976	39 946	40 916	41 886	42 857	43 826	44 798	45 768	46 737	47 709			
	Net S	34 741	35 622	36 500	37 380	38 258	39 138	40 017	40 909	41 804	42 696	43 588	44 482			
Assistant Officer																
P-1	Gross	35 382	36 718	38 051	39 386	40 719	42 052	43 388	44 722	46 081	47 449					
	Net D	29 317	30 251	31 183	32 116	33 048	33 979	34 914	35 845	36 777	37 710					
	Net S	27 655	28 515	29 372	30 230	31 087	31 944	32 804	33 661	34 508	35 353					

D = Rate applicable to staff members with a dependent spouse or child.

S = Rate applicable to staff members with no dependent spouse or child.

*This scale will be implemented in conjunction with a consolidation of 3.1 per cent of post adjustment. There will be consequential adjustments in the post adjustment indices and multipliers at all duty stations, effective 1 March 1998. Thereafter, changes in post adjustment classifications will be effected on the basis of the movements of the consolidated post adjustment indices.

ANNEX II

Amendments to the Staff Regulations of the United Nations

Regulation 3.3

Replace the second table in paragraph (*b*) (*i*) with the following:

Total assessable payments (United States dollars)	*Staff assessment rates used in conjunction with gross base salaries (percentage)*	
	Staff member with a dependent spouse or a dependent child	*Staff member with neither a dependent spouse nor a dependent child*
First 15 000 per year	9.0	11.8
Next 5 000 per year	18.1	24.5
Next 5 000 per year	21.5	27.0
Next 5 000 per year	24.9	31.5
Next 5 000 per year	27.5	33.4
Next 10 000 per year	30.1	35.7
Next 10 000 per year	31.8	38.2
Next 10 000 per year	33.5	38.8
Next 10 000 per year	34.4	39.8
Next 15 000 per year	35.3	40.8
Next 20 000 per year	36.1	44.2
Remaining assessable payments	37.0	47.4

52/217. Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

Taking note of the reports of the Secretary-General on the financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[47] and on conditions of service for the judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994,[48] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[49]

Noting the improvement in the presentation of the report of the Secretary-General,[47] which was made available in a timely manner and prepared on a full-cost basis with information on the annual cost of new posts and performance indicators, as recommended by the Advisory Committee,[50]

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[47] A/C.5/52/4 and Corr.1.

[48] A/52/520.

[49] A/52/696.

[50] A/51/7/Add.7 and Corr.2. For the final text, see *Official Records of the General Assembly, Fifty-first Session, Supplement No. 7*.

1. *Endorses* the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[49] subject to the provisions of the present resolution;

2. *Notes* that the Secretary-General will phase out by the end of 1998 the use of gratis personnel in the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, in accordance with the provisions of General Assembly resolution 51/243 of 15 September 1997;

3. *Requests* the Secretary-General to provide in the budget performance report for 1997 the actual performance indicators, with a view to facilitating the assessment of the activities for the International Tribunal;

4. *Also requests* the Secretary-General to include in the budget performance report for 1997 the information requested in paragraph 7 of General Assembly resolution 51/214 B of 13 June 1997;

5. *Agrees* that the consideration of the pension entitlement for members of the International Tribunal should be deferred until the review of the report of the Secretary-General on the emoluments and pension scheme of members of the International Court of Justice to be submitted to the General Assembly at its fifty-third session in accordance with Assembly resolution 50/216 of 23 December 1995;

6. *Approves* the budgetary recommendations of the Advisory Committee as contained in paragraph 21 of its report;[49]

7. *Decides* to appropriate to the Special Account for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 a total amount of 68,829,800 United States dollars gross (62,331,600 dollars net) for the period from 1 January to 31 December 1998;

8. *Recalls* its resolutions 49/242 B of 20 July 1995, 50/212 A of 23 December 1995, 50/212 B and C of 11 April and 7 June 1996, 51/214 A of 18 December 1996 and 51/214 B of 13 June 1997, in which it decided, as an ad hoc and exceptional arrangement, that Member States should waive their respective shares in the credits arising from previous budgets of the United Nations Protection Force, to be transferred to the Special Account for the International Tribunal from the Special Account for the United Nations Protection Force;

9. *Recognizes* that the unencumbered balance of the Special Account for the United Nations Protection Force has now been depleted;

10. *Decides* that the financing of the appropriation for the period from 1 January to 31 December 1998 under the Special Account for the International Tribunal shall take into account the cumulative surplus fund balance of 5.6 million dollars as at 31 December 1995 and the anticipated availability of an unencumbered balance of 10,873,800 dollars gross (10 million dollars net) for 1997, and shall be set off against the aggregate amount of the appropriation, as detailed in the annex to the present resolution;

11. *Takes note* of the information on the expected unencumbered balance at the end of 1997, and decides to take up this issue in the context of its consideration of the budget performance report for 1997;

12. *Decides* to apportion the amount of 26,178,000 dollars gross (23,365,800 dollars net) among Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year 1998;

13. *Decides also* to apportion the amount of 26,178,000 dollars gross (23,365,800 dollars net) among Member States in accordance with the scale of assessments applicable to peacekeeping operations for the year 1998;

14. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 12 and 13 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 5,624,400 dollars approved for the International Tribunal for the period from 1 January to 31 December 1998.

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ANNEX

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

	Gross	*Net*
	(United States dollars)	
Appropriation for the period from 1 January to 31 December 1998	68 829 800	62 331 600
Less: Estimated unencumbered balance for the period from 1 January to 31 December 1997	(10 873 800)	(10 000 000)
Cumulative surplus fund balance as at 31 December 1995	(5 600 000)	(5 600 000)
Balance to be assessed for the period from 1 January to 31 December 1998,	52 356 000	46 731 600
Of which:		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year 1998	26 178 000	23 365 800
Contributions assessed on Member States in accordance with the scale of assessments applicable to peacekeeping operations for the year 1998	26 178 000	23 365 800

52/218. Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

The General Assembly,

Taking note of the reports of the Secretary-General on the financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994,[51] and on conditions of service for the judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and the International Tribunal for Rwanda,[52] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[53]

Noting the improvement in the presentation of the report of the Secretary-General,[51] which was made available in a timely manner and prepared on a full-cost basis with information on the annual cost of new posts and performance indicators, as recommended by the Advisory Committee during its previous consideration of the matter,[54]

1. *Endorses* the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[53] subject to the provisions of the present resolution;

2. *Notes* that the Secretary-General will phase out by the end of 1998 the use of gratis personnel in the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, in accordance with the provisions of General Assembly resolution 51/243 of 15 September 1997;

3. *Requests* the Secretary-General to provide in the budget performance report for 1997 the actual performance indicators, with a view to facilitating the assessment of the activities of the International Tribunal for Rwanda;

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[51] A/C.5/52/13 and Corr.1.

[52] A/52/520.

[53] A/52/697.

[54] See A/51/7/Add.8 and Corr.1 and 2. For the final text, see *Official Records of the General Assembly, Fifty-first Session, Supplement No. 7.*

4. *Also requests* the Secretary-General to include in the budget performance report for 1997 the information requested in paragraph 13 of General Assembly resolution 51/215 B of 13 June 1997;

5. *Requests* the Board of Auditors, in accordance with articles X and XII of the Financial Regulations and Rules of the United Nations, to report on the ex gratia payments referred to in paragraph 11 of the report of the Advisory Committee;

6. *Agrees* that the consideration of the pension entitlement for members of the International Tribunal for Rwanda should be deferred until the review of the report of the Secretary-General on the emoluments and pension scheme of members of the International Court of Justice to be submitted to the General Assembly at its fifty-third session in accordance with Assembly resolution 50/216 of 23 December 1995;

7. *Approves* the budgetary recommendations of the Advisory Committee as contained in paragraph 24 of its report;

8. *Decides* to appropriate to the Special Account for the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 a total amount of 56,736,300 United States dollars gross (50,879,100 dollars net) for the period from 1 January to 31 December 1998;

9. *Recalls* its resolutions 49/251 of 20 July 1995, 50/213 A of 23 December 1995, 50/213 B and C of 11 April and 7 June 1996, 51/215 A of 18 December 1996 and 51/215 B of 13 June 1997, by which it decided, as an ad hoc and exceptional arrangement, that Member States should waive their respective shares in the credits arising from previous budgets of the United Nations Assistance Mission for Rwanda, to be transferred to the Special Account for the International Tribunal for Rwanda from the Special Account for the United Nations Assistance Mission for Rwanda;

10. *Recognizes* that the unencumbered balance in the Special Account for the Assistance Mission is 2,060,700 dollars gross;

11. *Decides* to apportion the amount of 28,368,150 dollars gross (25,439,550 dollars net) among Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year 1998, as detailed in the annex to the present resolution;

12. *Decides also* to apportion the amount of 26,307,450 dollars gross (23,894,050 dollars net) among Member States in accordance with the scale of assessments applicable to peacekeeping operations for the year 1998, after taking into account the unencumbered balance of 2,060,700 dollars gross (1,545,500 dollars net) in the Special Account for the Assistance Mission referred to in paragraph 10 above;

13. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 11 and 12 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 5,342,000 dollars approved for the International Tribunal for Rwanda for the period from 1 January to 31 December 1998.

79th plenary meeting
22 December 1997

ANNEX

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

	Gross	*Net*
	(United States dollars)	
Appropriation for the period from 1 January to 31 December 1998	56 736 300	50 879 100
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year 1998	28 368 150	25 439 550
Contributions assessed on Member States in accordance with the scale of assessments applicable to peacekeeping operations for the year 1998	28 368 150	25 439 550
Less: Unencumbered balance in the Special Account for the United Nations Assistance Mission in Rwanda	(2 060 700)	(1 545 500)
Balance of assessment based on the scale of assessments for peacekeeping operations	26 307 450	23 894 050

52/219. Human resources management

The General Assembly,

Having considered the reports of the Secretary-General on a family leave programme,[55] on the implementation of the performance appraisal system,[56] on a system of performance awards or bonuses[57] and on amendments to the Staff Rules,[58]

I. FAMILY LEAVE PROGRAMME

Recalling paragraph 3 of section III.C of its resolution 51/226 of 3 April 1997, in which it requested the Secretary-General to develop a family leave programme for United Nations staff without creating supplementary leave entitlements, and to report thereon to the General Assembly as soon as possible,

1. *Takes note* of the report of the Secretary-General;[55]

2. *Approves* the recommendations of the Secretary-General in relation to the family leave programme, as contained in paragraph 12 of his report;

II. IMPLEMENTATION OF THE PERFORMANCE APPRAISAL SYSTEM

Having reviewed the report of the Secretary-General on the implementation of the performance appraisal system[56] and the relevant section of the report of the Advisory Committee on Administrative and Budgetary Questions,[59]

1. *Takes note* of the report of the Secretary-General;[56]

2. *Encourages* the Secretary-General to continue his efforts to refine and simplify the performance appraisal system, in particular its administrative aspects;

3. *Reiterates* that it is important that the performance appraisal system be implemented consistently throughout the Secretariat so as to achieve an effective and fair performance management and staff development tool, and requests the Secretary-General to monitor the application of the system and to report thereon to the General Assembly;

III. SYSTEM OF PERFORMANCE AWARDS OR BONUSES

Having reviewed the report of the Secretary-General on a system of performance awards or bonuses,[57]

1. *Approves*, and urges the Secretary-General to adopt a step-by-step approach to, the introduction, in full consultation with the staff, of a system of performance awards or bonuses, taking into account the comments and recommendations of the International Civil Service Commission on this matter, as contained in its report;[60]

2. *Requests* the Secretary-General to keep under review the introduction of the system of performance awards or bonuses and to report to the General Assembly, in accordance with the step-by-step approach, at its fifty-third session;

3. *Also requests* the Secretary-General to submit to the General Assembly at its fifty-third session for decision policy proposals to deal systematically and effectively with underperformance,[61] taking into account the comments and recommendations made by the Commission in paragraph 213 of its report;[60]

IV. AMENDMENTS TO STAFF RULES

Having reviewed the report of the Secretary-General on amendments to the Staff Rules,[58]

Takes note of the amendments to the 100 and 200 series of the Staff Rules contained in the report of the Secretary-General;

V. IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 51/226

1. *Decides* that the restrictions contained in paragraph 26 of section III.B of resolution 51/226, which preclude staff appointed for less than one year against regular budget posts or extrabudgetary posts of one year or longer from applying for or being appointed to their current post within six months of the end of their current service, shall apply to staff appointed after 3 April 1997 only;

2. *Decides also* that persons eligible to be considered for internal vacancies within the Secretariat after twelve months of service, as provided for in paragraph 27 of section III.B of resolution 51/226, shall be staff appointed in the Professional category or above under the 100 or 300 series of the Staff Rules to serve against peacekeeping support account posts at Headquarters or in peacekeeping or other field missions, and decides further that such eligibility shall be limited to vacant posts at the P-4 level and above;

3. *Decides* to continue consideration of the note by the Secretariat on the implementation of General Assembly resolution 51/226, as well as the application of the provisions of the preceding paragraphs, at the first part of its resumed fifty-second session.

79th plenary meeting
22 December 1997

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[55] A/52/438.

[56] A/C.5/51/55 and Corr.1.

[57] A/52/439.

[58] A/52/574.

[59] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 7* (A/52/7), paras. 107-112.

[60] Ibid., *Supplement No. 30* (A/52/30), chap. VI, sect. B.

[61] See A/52/439, para. 17.

52/220. Questions relating to the proposed programme budget for the biennium 1998-1999

I

The General Assembly,

Reaffirming its resolution 41/213 of 19 December 1986 and subsequent relevant resolutions,

Recalling its resolution 48/228 A of 23 December 1993,

Recalling also its resolution 45/248 B of 21 December 1990, in which it reaffirmed that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters,

Recalling further its resolutions 45/253 of 21 December 1990, 47/214 of 23 December 1992 and 51/219 of 18 December 1996,

Recalling its resolution 52/12 A of 12 November 1997 and the related resolution 52/12 B of 19 December 1997,

Reaffirming the respective mandates of the Advisory Committee on Administrative and Budgetary Questions and the Committee for Programme and Coordination in the consideration of the proposed programme budget,

Reaffirming also regulation 5.2 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation,[62]

Stressing that the normal procedures established for the formulation, implementation and approval of the programme budget must be maintained and strictly followed,

Having considered the proposed programme budget for the biennium 1998-1999,[63] the report of the Secretary-General entitled "United Nations reform: measures and proposals"[64] and the reports of the Advisory Committee on Administrative and Budgetary Questions and the Committee for Programme and Coordination thereon,

1. *Endorses* the conclusions and recommendations of the Committee for Programme and Coordination on the programme narrative of the proposed programme budget for the biennium 1998-1999 contained in the report of the Committee on the work of its thirty-seventh and resumed thirty-seventh session,[65] without prejudice to the priorities established by the General Assembly and subject to the provisions of the present resolution;

2. *Commends* the efforts and initiatives of the Secretary-General aimed at reforming the United Nations;

3. *Reiterates* that the activities included in the proposed programme budget for the biennium 1998-1999 must be derived from the medium-term plan for the period 1998-2001,[66] which is the principal policy directive of the Organization, taking into account regulation 5.2 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation;[62]

4. *Emphasizes* that, for the sake of transparency and accountability, it is essential to establish clear relationships between the programmes as approved and the entity responsible for their delivery;

5. *Reaffirms* its support for maintaining the international character of the Organization and for the principles of efficiency, competence and integrity enshrined in Article 101 of the Charter of the United Nations;

6. *Stresses* that the reform proposals approved in its resolutions 52/12 A and B will be implemented with full respect for the relevant mandates, decisions and resolutions of the General Assembly, in particular the medium-term plan for the period 1998-2001;

7. *Also stresses* the role of the relevant intergovernmental bodies in the consideration of the narrative of the proposed programme budget, as well as the necessity for a timely presentation of their recommendations on the budget;

8. *Emphasizes* that the budget proposals of the Secretary-General should reflect resource levels commensurate with the mandates for their full implementation;

9. *Reiterates* the need for the Secretary-General to ensure that resources are utilized strictly for the purposes approved by the General Assembly;

10. *Emphasizes* the need for Member States to provide adequate resources for the full implementation of mandated programmes and activities;

11. *Reiterates* that, when formulating the proposed programme budget, the Secretary-General must respect fully the priorities established by the General Assembly;

12. *Notes with concern* the observation of the Advisory Committee on Administrative and Budgetary Questions that full justification for reductions of posts has not been provided, which should be done as in the case of the creation of new posts;[67]

13. *Reaffirms* that, whenever a post becomes vacant, a proper programmatic/workload justification will be needed for its retention, abolition or redeployment;

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[62] ST/SGB/PPBME Rules/1(1987), as amended by resolution 42/215.

[63] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 6* and addendum (A/52/6/Rev.1 and Add.1).

[64] A/52/303 and Add.1.

[65] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 16* (A/52/16); and ibid., *Supplement No. 16A* (A/52/16/Add.1).

[66] Ibid., *Fifty-first Session, Supplement No. 6* and corrigendum (A/51/6/Rev.1 and Corr.1).

[67] Ibid., *Fifty-second Session, Supplement No. 7* (A/52/7), chap. I, para. 72.

14. *Also reaffirms* that the implementation of the reform measures and the reduction of posts must not entail involuntary separation of staff;

15. *Notes* that some of the posts proposed for abolition will not be vacant until the end of the first year of the biennium;

16. *Decides* that the staffing table for each year of the biennium 1998-1999 shall be as contained in annex I.A to the present resolution;

17. *Notes with concern* the trend towards increases in high-level posts and reductions in lower-level posts, which may affect the potential for rejuvenation of the Organization and its capacity for full implementation of approved mandates;

18. *Emphasizes* that the reduction in posts should not affect full implementation of all mandated programmes and activities;

19. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session, in accordance with the commitments undertaken in his report entitled "Renewing the United Nations: a programme for reform",[68] a report on developments in the post structure of the Secretariat over the past ten years, on the forward-looking human resources management policy that he intends to develop, for both the short and medium term, with a view to rejuvenating the Organization and on the impact that such a policy should have on developments in the post structure in the future;

20. *Reaffirms* that gratis personnel should be expeditiously phased out in accordance with resolution 51/243 of 15 September 1997;

21. *Decides* to delete the references to type II gratis personnel in budget documents;

22. *Requests* the Secretary-General, in the proposed programme budget for the biennium 2000-2001, to submit estimates of the total amount of resources that he should have at his disposal, from all sources of financing, in order to be able to implement fully the mandated programmes and activities;

23. *Regrets* that the reports requested by the General Assembly in its resolution 51/243 have not been submitted for consideration;

24. *Expresses its concern* that a number of sections in the proposed programme budget were not prepared in complete conformity with the medium-term plan for the period 1998-2001;[66]

25. *Decides* to make changes, as contained in annex II to the present resolution, to the programme narrative in the final published version of the proposed programme budget for the biennium 1998-1999,[63] as reflected in the conclusions and recommendations of the Committee for Programme and Coordination at its thirty-seventh session;[65]

26. *Also decides* to make changes, as contained in annex III to the present resolution, to the programme narrative in the report of the Secretary-General entitled "United Nations reform: measures and proposals";[64]

II

Emphasizing that programmes and activities mandated by the General Assembly must be respected and implemented fully,

Emphasizing also the need for mandated programmes and activities to be delivered in the most effective and efficient manner,

1. *Reiterates* that the priorities for the biennium 1998-1999 are the following:

(*a*) Maintenance of international peace and security;

(*b*) Promotion of sustained economic growth and sustainable development in accordance with relevant General Assembly resolutions and recent United Nations conferences;

(*c*) Development of Africa;

(*d*) Promotion of human rights;

(*e*) Effective coordination of humanitarian assistance efforts;

(*f*) Promotion of justice and international law;

(*g*) Disarmament;

(*h*) Drug control, crime prevention and combating international terrorism in all its forms and manifestations;

2. *Approves* the comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions as expressed in its first report on the proposed programme budget for the biennium 1998-1999[69] and in its second report on the reform proposals of the Secretary-General,[70] subject to the provisions of the present resolution;

3. *Reaffirms* the budgetary process as approved in its resolution 41/213;

4. *Takes note* of the observations of the Advisory Committee as reflected in paragraph 38 of its first report on the proposed programme budget for the biennium 1998-1999, and concurs with its request for the Secretary-General to ensure complete uniformity in the presentation of the various expenditures in future programme budgets;

5. *Notes* that the Secretary-General has provided a series of organizational charts for the various departments in the proposed programme budget for the biennium 1998-1999, and requests that this become standard practice for each budget

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[68] A/51/950 and Add.1-7.

[69] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 7* (A/52/7).

[70] A/52/7/Add.1. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 7A.*

section in future programme budgets and that the organizational charts include posts from all sources of funding;

6. *Welcomes* the format adopted by the Secretary-General in his report entitled "United Nations reform: measures and proposals"[64] concerning the transfer of resources between sections with a view to establishing new departments, and requests the Secretary-General, in the interest of transparency, to ensure that proposed transfers of posts and other resources between budget sections are explained in the same manner in future programme budgets;

7. *Requests* the Secretary-General to ensure that the proposals contained in the individual sections of future programme budgets include more precise information on the outputs and activities of the various departments, on the basis of which the General Assembly could later evaluate budget performance;

8. *Requests* that the individual sections of the programme budget for the biennium 2000-2001 contain a summary of the relevant recommendations of the internal and external oversight bodies and, for each recommendation, information on the follow-up action taken;

9. *Reaffirms* its resolution 51/221 B of 18 December 1996;

10. *Notes with deep concern* that some of the proposals related to pilot projects imply changes in the existing budgetary practices and procedures;

11. *Decides* to consider the impact of the implementation of pilot projects on the budgetary practices and procedures as well as on the Financial Regulations and Rules of the United Nations, prior to their implementation, and requests the Secretary-General to submit a comprehensive report on this matter through the Advisory Committee to the General Assembly at the first part of its resumed fifty-second session;

12. *Also decides* that, pending its consideration of the above-mentioned report, no action can be taken in the context of the pilot projects that represents changes in the budgetary practices and procedures or in the Financial Regulations and Rules without prior approval of all relevant legislative bodies;

13. *Reaffirms* that changes in mandated programmes and activities are the prerogative of the General Assembly;

14. *Requests* the Secretary-General to maintain proper inventory records for all United Nations assets;

15. *Also requests* the Secretary-General to make careful use of resources for consultants and experts, general temporary assistance, travel, electricity and hospitality during the biennium 1998-1999 and to report on the outcome of those efforts in the context of the second performance report;

16. *Further requests* the Secretary-General to improve quality control with regard to food served and equipment used in the United Nations cafeteria and to ensure, to the extent possible, respect for the dietary habits of users of those facilities;

17. *Invites* the Secretary-General to propose measures to improve the profitability of the commercial activities of the United Nations, in particular in the sale of publications at Geneva, and, where appropriate, to develop new income-generating measures, and requests the Secretary-General to submit a report thereon to the General Assembly at its fifty-third session;

18. *Requests* the International Civil Service Commission to report to the General Assembly at its fifty-third session on the justification for the supplemental subsistence allowance, with a view to considering its possible phasing out or maintenance;

19. *Regrets* the tendency towards excessive use of consultants, in particular in areas where in-house expertise is available, and requests the Secretary-General to resort in future to the use of consultants only when in-house expertise is not available and in accordance with the existing rules and regulations and relevant resolutions;

20. *Also regrets* that the report requested by the General Assembly in paragraph 14 of its resolution 51/221 B on the use of consultants was not provided by 1 March 1997, and requests the Secretary-General to submit the report to the Assembly at the first part of its resumed fifty-second session;

21. *Urges* all Member States to pay their assessed contributions in full, on time and without imposing conditions, to avoid the financial difficulties being experienced by the Organization;

22. *Endorses* the observation of the Advisory Committee[71] that a high vacancy rate hampers the delivery of mandated programmes and that deliberate management decisions to keep a certain number of posts vacant makes the budget process less transparent and management of staff resources more difficult;

23. *Reaffirms* that the vacancy rate is a tool for budgetary calculations and should not be used to achieve budgetary savings;

24. *Notes* that requirements in respect of the Joint Inspection Unit, the International Civil Service Commission and conference and security services at Vienna are presented for appropriation on a net basis;

25. *Requests* the Secretary-General to ensure that all the funds approved in the budgets of the three entities are allotted to allow for full implementation of all of their mandated programmes and activities;

26. *Approves* the staffing table for the International Civil Service Commission, the Joint Inspection Unit and conference and security services at Vienna, as contained in annex I.B to the present resolution;

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[71] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 7* (A/52/7), chap. I, para. 57.

27. *Requests* the Secretary-General to ensure that funds from the participating organizations are received promptly;

28. *Decides* to keep under review all aspects of net budgeting, including its impact on the functioning of the entities concerned, and requests the Secretary-General to report on this subject to the General Assembly at its fifty-third session;

29. *Notes with concern* the ratio between regular budget and extrabudgetary resources, which reflects the trend towards financing core functions mainly from extrabudgetary resources;

III

Section 1A. Overall policy-making, direction and coordination

1. *Decides* to establish under the regular budget one P-5, one P-4 and one General Service (Other level) post in the secretariat of the Advisory Committee on Administrative and Budgetary Questions to replace the existing posts financed from extrabudgetary resources;

2. *Accepts* the proposal to restore to the D-1 level the post of Executive Secretary of the Board of Auditors, taking into account the increased workload of the Board;

3. *Decides* to establish the post of Deputy Secretary-General in accordance with resolution 52/12 B, and also decides, with respect to salary and emoluments, to approve the recommendation contained in paragraph 5 (*b*) of the report of the Advisory Committee;[70]

4. *Approves* the staffing proposal for the Office of the Deputy Secretary-General, subject to provision for just two of the three proposed General Service posts;

5. *Also approves* the establishment of one D-1, one P-5, one P-4 and one General Service post for the Strategic Planning Unit;

6. *Decides* to keep under review the level of resources for consultants and experts in the Strategic Planning Unit;

7. *Requests* the Secretary-General to delete the funds budgeted for joint meetings of the Committee for Programme and Coordination and the Administrative Committee on Coordination, since those meetings are no longer held;

Section 1B. General Assembly affairs and conference services

8. *Notes* that the newly created Department of General Assembly Affairs and Conference Services will not, for the present time, undertake the servicing of the Fifth and Sixth Committees of the General Assembly or of the Security Council, even though the rationalization of servicing arrangements should lead to greater unity of purpose, greater coherence of efforts at all levels and greater cost-effectiveness, which would result in economies of scale;

9. *Requests* the Secretary-General to keep the above arrangements under review and to submit to the General Assembly at its fifty-third session a report in this regard, with a view to considering the possible integration of all conference-servicing resources for all Main Committees of the General Assembly, the Security Council, the Economic and Social Council and their subsidiary and ad hoc bodies and special conferences into the Department of General Assembly Affairs and Conference Services;

10. *Accepts* the proposed reclassification of the D-2 post redeployed from the former Office of the Director of Conference Services to the assistant secretary-general level, the P-4 post of Special Assistant to the Under-Secretary-General to the P-5 level and a P-2 post to the P-3 level for the purpose of enhancing administrative support in the Executive Office;

11. *Decides* that the resources for the Office of the President of the General Assembly shall be presented on an object-of-expenditure basis, starting with the biennium 1998-1999, and approves the proposal of the Secretary-General regarding the level of resources for the biennium 1998-1999;

12. *Also decides* that the unit proposed for technical aspects of servicing meetings of the Trusteeship Council, the Special Political and Decolonization Committee (Fourth Committee) of the General Assembly and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples shall comprise one Political Affairs Officer at the P-5 level, one at the P-3 level and two General Service staff;

13. *Notes with concern* the abolition of thirty posts of translator and interpreter;

14. *Also notes with concern* the practices noted with respect to self-revision, which may attain proportions of 80 per cent during periods of peak workload, whereas the specified standard is 45 per cent;

15. *Requests* the Secretary-General to keep under review the two issues mentioned in paragraphs 13 and 14 above, in the light of its resolution 50/11 of 2 November 1995, and to report to the General Assembly at its fifty-third session, through the Committee on Conferences, on their impact on the quality of conference services provided;

Section 2A. Political affairs

16. *Decides* to retain the P-3 post proposed for abolition under subprogramme 7 (Question of Palestine), and requests the Secretary-General to fill the vacant Professional post under this subprogramme, taking into account the developments in the Middle East;

17. *Notes* that the redeployment of a P-5 post to assist the Department of Political Affairs with its role as convenor of the Executive Committee for Peace and Security has been in effect since January 1997, and requests that the continuing

need for the post for this function be monitored in the light of experience;

18. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions contained in paragraph 23 of its second report,[70] and requests the Secretary-General to continue to review the division of responsibilities between the Department of Political Affairs and the Department of Peacekeeping Operations so as to guarantee the clear delineation of their respective tasks and to avoid duplication and overlap;

19. *Requests* the Secretary-General to make careful use of the resources for the regional seminars on decolonization;

20. *Notes* the establishment of a stand-alone Decolonization Unit in the Department of Political Affairs;

21. *Also notes* the need to ensure that the Decolonization Unit is an effective unit;

22. *Decides* that the Decolonization Unit in the Department of Political Affairs shall comprise one Principal Officer at the D-1 level, one Senior Political Affairs Officer at the P-5 level, one Political Affairs Officer at the P-4 level and two General Service staff;

23. *Also decides* that the status of the liaison office at Addis Ababa, as proposed in paragraph 2.50 of the proposed programme budget for the biennium 1998-1999,[63] shall be a United Nations office at Addis Ababa and that it shall be transferred from section 2A to section 1A of the proposed programme budget;

24. *Further decides* to transfer the recommendation of the Committee for Programme and Coordination relating to paragraph 2.50 of the proposed programme budget for the biennium 1998-999 to section 1A in accordance with paragraph 23 above;

Section 2B. Disarmament

25. *Notes* the establishment of the new Department for Disarmament Affairs;

26. *Decides* to retain the three P-5 posts of the Directors of the three regional centres for peace and disarmament, requests the Secretary-General to fill these posts in the shortest possible time, and invites Member States to support the centres; and also decides to have in the new Department two P-5 posts, one which had been proposed for abolition and another to be established;

27. *Encourages* the Directors of the centres, to be appointed, to establish contact, starting in the first quarter of 1998, with the United Nations Development Programme and the regional organs, as well as with Member States of the different regions, with a view to finding resources for the revitalization of the activities of the centres;

28. *Decides* that the organizational chart of the new Department for Disarmament Affairs should be as contained in the report of the Secretary-General,[64] subject to the provisions of the present resolution;

Section 3. Peacekeeping operations and special missions

29. *Reiterates* its request that gratis personnel be phased out in accordance with the provisions of its resolution 51/243;

30. *Notes with concern* that the high level of vacancies maintained in the United Nations Truce Supervision Organization has created management difficulties for it;

31. *Requests* the Secretary-General to fill the vacant posts, taking into account the standardized vacancy rate approved for the biennium 1998-1999;

32. *Decides* that the Lessons Learned Unit within the Department of Peacekeeping Operations may provide, upon request from Member States, advice on lessons learned from the tasks referred to in paragraph 3.19 (*b*) of the proposed programme budget for the biennium 1998-1999;[63]

33. *Also decides* to delete the funds requested for a study to draw upon lessons learned on disarmament and demobilization, and urges the Department of Peacekeeping Operations to make maximum use of related studies already conducted by the United Nations Institute for Disarmament Research and other organizations;

Section 5. International Court of Justice

34. *Notes* that the estimates relating to the statutory entitlements of the members of the International Court of Justice are scheduled for a comprehensive review by the General Assembly at its fifty-third session, and, in view of this, decides that any resource change resulting from decisions taken by the Assembly with regard to emoluments and other conditions of service for the members of the Court will be reported in the performance report on the programme budget for the biennium 1998-1999;

35. *Requests* the International Court of Justice to explore vigorously the introduction of modern technology, including methods used by regional and national judicial systems, as well as the experience of the Office of Legal Affairs, in reducing the backlog related to the printing of the Court's publications and the translation of its documents;

36. *Requests* the Secretary-General to review the financial arrangements associated with the dining room at the International Court of Justice and to report thereon to the General Assembly at its fifty-third session;

Section 6. Legal affairs

37. *Accepts* the reclassification of the D-2 post in the Office of the Legal Counsel to the assistant secretary-general level;

Section 7A. Economic and social affairs

38. *Notes* the creation of the new Department of Economic and Social Affairs;

39. *Requests* the Secretary-General to submit a new narrative for this section in full accordance with the medium-term plan for the period 1998-2001,[66] taking into account regulation 5.2 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation,[62] to be considered by the Committee for Programme and Coordination at its thirty-eighth session;

40. *Requests* the Committee for Programme and Coordination at its thirty-eighth session to review the new narrative and to submit its conclusions and recommendations thereon to the General Assembly for its consideration during the first part of its fifty-third session and no later than 1 October 1998;

41. *Expresses its concern* about the decrease in the level of resources devoted to technical cooperation;

42. *Requests* the Secretary-General to keep under review the structure and level of resources of the Department, taking into account the need to provide all the resources necessary for the full implementation of all mandated programmes and activities previously performed by the Department for Policy Coordination and Sustainable Development, the Department for Economic and Social Information and Policy Analysis and the Department for Development Support and Management Services;

43. *Also requests* the Secretary-General to ensure that all the activities outlined in the ten subprogrammes under sections 7, 9 and 10 of the initial budget proposal are included in section 7A of the final version of the programme budget for the biennium 1998-1999;

44. *Notes* the allocation of resources by subprogramme, as contained in annex IV.A and B to the present resolution;

45. *Decides* to keep under review the level of resources and the number of posts in the Executive Office, taking into account the need to guarantee the capacity of the Organization to implement fully the activities related to technical cooperation;

46. *Also decides* to reclassify to the D-2 level a D-1 post in the Division for the Advancement of Women;

47. *Further decides* to establish a D-1 post in the Office of the Special Adviser on Gender Issues and Advancement of Women, to replace the existing post financed from extrabudgetary resources;

Section 8. Africa: New Agenda for Development

48. *Takes note* of the budget appropriation in the biennium 1998-1999 for the implementation of the United Nations New Agenda for the Development of Africa in the 1990s, and calls upon the Secretary-General to continue his efforts to mobilize additional resources for the implementation of the programme of action contained in the New Agenda;

Section 11A. Trade and development

49. *Decides* that the work programme on assistance to the Palestinian people of the United Nations Conference on Trade and Development will continue to be carried out by a Special Coordinator at the P-5 level and a staff member at the P-4 level;

50. *Also decides* that the work programme for landlocked and island developing countries will continue to be carried out within the Office of the Special Coordinator under the overall supervision of a staff member at the D-1 level, supported by a staff member at the P-4 level, while a staff member at the P-5 level in the Division for Services Infrastructure for Development and Trade Efficiency will continue to work solely on issues related to landlocked developing countries;

51. *Requests* the Secretary-General to ensure that adequate resources are allocated in the programme budget for the biennium 1998-1999 for activities specifically relating to the least developed countries, in accordance with the priority accorded thereto;

52. *Recalls* paragraph 33 of its resolution 51/167 of 16 December 1996, in which it requested the Secretary-General of the United Nations Conference on Trade and Development, through the Secretary-General of the United Nations, to submit a proposal on savings resulting from the improved overall cost-effectiveness achieved pursuant to the decisions taken at the ninth session of the Conference, including the restructuring of the intergovernmental machinery and reform of the secretariat, and to submit a proposal on how to reallocate a part of the savings in the 1998-1999 budget cycle, with a view to strengthening the capabilities of the Conference in priority areas, including in technical cooperation;

53. *Regrets* that the above-mentioned proposals have not been submitted;

54. *Requests* the Secretary-General to prepare expeditiously, in consultation with the Working Party on the Medium-term Plan and Programme Budget of the United Nations Conference on Trade and Development, a report on the above-mentioned proposals, exploring ways and means, within the existing financial regulations and rules of the United Nations, of utilizing these savings during the biennium 1998-1999, and to submit it to the General Assembly at the first part of its resumed fifty-second session for its consideration;

Section 11B. International Trade Centre UNCTAD/WTO

55. *Notes with concern* that the arrangements entered into by the Secretary-General with the Director-General of the World Trade Organization in the exchange of correspondence of September 1995 have not yet been transmitted to the General Assembly, and, in this regard, considers that the agreement between the secretariats of the United Nations and the former General Agreement on Tariffs and Trade is still in force until the Assembly reviews the agreement between the United Nations and the World Trade Organization;

Section 12. Environment

56. *Decides* to keep under review the level of resources for the United Nations Environment Programme, and requests the Secretary-General to submit proposals in this regard, taking into account General Assembly resolution 51/177 of 16 December 1996 and the decreasing trend in extrabudgetary resources;

57. *Takes note* of paragraphs IV.47 and IV.48 of the first report of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 1998-1999,[72] and requests the Secretary-General to act accordingly;

Section 13. Human settlements

58. *Decides* to keep under review the level of resources for the United Nations Centre for Human Settlements (Habitat), and requests the Secretary-General to submit proposals in this regard, taking into account General Assembly resolution 51/177 and the decreasing trend in extrabudgetary resources;

59. *Takes note* of paragraphs IV.54 and IV.55 of the first report of the Advisory Committee on Administrative and Budgetary Questions on the proposed programme budget for the biennium 1998-1999,[72] and requests the Secretary-General to act accordingly;

Section 14. Crime control

60. *Notes* the establishment of the Centre for International Crime Prevention, and also notes that the Centre, together with the United Nations International Drug Control Programme, will form the new Office for Drug Control and Crime Prevention;

61. *Endorses* the proposal of the Secretary-General to strengthen the capacity of the new Centre for International Crime Prevention;

62. *Stresses* the need to promote the fundamental principles of the rule of law and the need to strengthen further international cooperation between States and between regional organizations, international organizations and agencies and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, as well as its financing;

63. *Approves* the establishment of two new posts at the P-5 and P-4 levels for the Centre for International Crime Prevention and the redeployment of one D-1 post from the United Nations Office at Vienna to the Centre to strengthen its capacity to address issues related to terrorism in all its forms and manifestations;

Section 15. International drug control

64. *Decides* that the consolidation of the Crime Prevention and Criminal Justice Division and the United Nations International Drug Control Programme should not undermine the critical importance of the comprehensive programme on drug control, which should be fully implemented in accordance with the medium-term plan for the period 1998-2001,[66] and that adequate resources for this purpose should be provided;

65. *Emphasizes* that the realignment of the Centre for International Crime Prevention with the United Nations International Drug Control Programme should result in better coordination between these entities and should produce important synergies, while safeguarding the multidisciplinary aspects of drug control policy;

Sections 16, 17, 18, 19 and 20. Regional commissions

66. *Concurs* with the observation of the Advisory Committee on Administrative and Budgetary Questions on the use of short-term consultants and experts by the Economic Commission for Africa as reflected in paragraph V.19 of its first report,[73] calls upon the Commission to take deliberate management action to ensure an effective transfer of knowledge and expertise from short-term consultants and experts to Commission staff, and encourages other regional commissions to take similar action;

67. *Requests* the Secretary-General to review the format of presentation of the programmes of activities of the regional commissions with a view to delineating more clearly substantive activities vis-à-vis programme support and harmonizing the budget presentation, and to present more clearly the description of activities and services provided by the regional commissions in order to permit a quantitative and qualitative monitoring of the progress of programme implementation;

Section 16. Economic and social development in Africa

68. *Welcomes* the restructuring and reorientation of programmes undertaken by the Economic Commission for Africa and, in particular, the decentralization of the activities of the Commission to subregional development centres, and, in this regard, stresses the need for additional resources from all sources of funding to strengthen the subregional centres and the capacity of the Commission to give appropriate guidance as a focal institution for these activities;

69. *Expresses its concern* that the Economic Commission for Africa has, in the course of the past few years, suffered greatly from a persistently high vacancy rate in critical areas, and requests the Secretary-General to ensure that all posts budgeted for the biennium 1998-1999 are filled;

70. *Requests* the Secretary-General to redeploy to the subregional centres any savings realized during the biennium

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[72] A/52/7 (Chap. II, Part IV). For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 7.*

[73] A/52/7 (Chap. II, Part V). For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 7.*

as a result of reform measures and efficiency gains from within the Economic Commission for Africa;

Section 19. Economic and social development in Latin America and the Caribbean

71. *Notes* the initiative of the Secretary-General to present a new pilot management project aimed at improving the decision-making process of the Economic Commission for Latin America and the Caribbean through decentralization of authority in certain areas of human resources and budget management;

72. *Requests* the Secretary-General to submit details of the new pilot management project to the Economic Commission for Latin America and the Caribbean at its twenty-seventh session for its final approval, as provided for in paragraph 4 of Commission resolution 563 (PLEN.21) and recommended by the Advisory Committee on Administrative and Budgetary Questions in paragraph V.66 of its first report;[73]

73. *Also requests* the Secretary-General to ensure that all activities included in subprogramme 2 benefit all members of the region;

Section 22. Human rights

74. *Notes* that the proposed programme budget for the biennium 1998-1999[63] includes activities that have no specific mandates approved by the General Assembly;

75. *Reaffirms* the use of the contingency fund as approved in its resolution 41/213, and its resolution 42/211 of 21 December 1987;

76. *Recalls* paragraph 2 of section XI of its resolution 44/201 B of 21 December 1989;

77. *Regrets* that the report requested in the above-mentioned resolution has not yet been submitted to the General Assembly;

78. *Requests* the Secretary-General to submit the above-mentioned report to the General Assembly at its resumed fifty-second session;

79. *Decides*, pending its consideration of the above-mentioned report, to appropriate the resources requested by the Secretary-General in the proposed programme budget for the biennium 1998-1999, and, in this regard, requests the Secretary-General to ensure that no funds directly related to these non-mandated activities are committed to them;

80. *Also decides* to amend the narrative of section 22, as indicated in annex II to the present resolution;

Section 23. Protection of and assistance to refugees

81. *Notes with concern* the steady decline of regular budget and extrabudgetary resources available to the Office of the United Nations High Commissioner for Refugees;

82. *Requests* the Secretary-General to monitor the flow of extrabudgetary resources to the Office of the High Commissioner and, based on his findings, to review the funding of the Office from the regular budget above the current proposed level;

Section 24. Palestine refugees

83. *Reaffirms its support* for the programme of work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, decides to retain the eight posts proposed for abolition under this section, in the light of the difficulties facing the Agency resulting from the decrease in extrabudgetary resources, and invites the donor countries to fulfil their pledges to the Agency and to increase their contributions to it in order to support the full implementation of its programme of work;

Section 25. Humanitarian assistance

84. *Requests* the Secretary-General to submit a report on the legislative basis and methodology for charging programme support costs for voluntary contributions, in cash or in kind;

85. *Notes* that the operational demining activities, as well as the Mine Action Service financed from the Voluntary Trust Fund for Assistance in Mine Clearance, will be transferred to the Department of Peacekeeping Operations, and stresses that humanitarian mine-clearance activities should be conducted under the responsibility of the Emergency Relief Coordinator;

Section 26. Communications and public information

86. *Notes* the transformation of the Department of Public Information into an Office of Communications and Public Information;

87. *Decides* that no action shall be taken on the proposal for abolition of the fifty-one local-level posts in the United Nations information centres and on the question of integration of the information centres with the United Nations Development Programme, including review of earlier cases, reiterates its request to the Secretary-General in paragraph 11 of its resolution 51/138 B of 13 December 1996 to continue the integration exercise in a cost-effective manner and, whenever feasible, on a case-by-case basis, taking into account the views of the host country and ensuring that the information functions and the autonomy of the information centres are not adversely affected, and requests the Secretary-General to report thereon to the General Assembly at its fifty-third session;

88. *Also decides* to establish a P-4 post in the Media Division for a Portuguese-language radio producer;

89. *Requests* the Secretary-General to submit to the Committee for Programme and Coordination at its thirty-eighth session a new programme narrative for section 26, in the light of the recommendations of the Committee on Information regarding the conclusions and recommendations of the Task Force on the Reorientation of United Nations Public Information Activities;

Section 27A. Office of the Under-Secretary-General for Management

90. *Decides* that the staffing component of the Management Policy Office shall comprise one D-2, one D-1, three P-5 and two General Service posts;

91. *Requests* the Secretary-General to reflect in the budget performance report those expenditures related to compensation paid to staff as a result of judgements of the United Nations Administrative Tribunal;

92. *Decides* that the General Service post in the secretariat of the Fifth Committee and the Committee for Programme and Coordination currently funded from extrabudgetary resources shall henceforth be financed through the United Nations regular budget;

93. *Also decides* to undertake during its resumed fifty-second session a thorough review of the working methods of the Fifth Committee, with a view to rationalizing them and initiating efficiency measures that may enable the Committee to accomplish its tasks on time without resorting to extra meetings at night and on weekends;

Section 27B. Office of Programme Planning, Budget and Accounts

94. *Decides* to establish two P-4 and two P-3 posts in the Office of Programme Planning, Budget and Accounts;

95. *Requests* the Secretary-General to consult with the Member States not acceding to section 18 (*b*) of the Convention on the Privileges and Immunities of the United Nations[74] on appropriate administrative arrangements for managing the Tax Equalization Fund and to report to the General Assembly on the outcome of such consultations;

Section 27C. Office of Human Resources Management

96. *Endorses* the restoration of one P-4 post and one General Service post in the Examinations and Tests Section as recommended by the Advisory Committee on Administrative and Budgetary Questions in paragraph VIII.34 of its first report on the proposed programme budget;[75]

97. *Notes* the overall increase in allocations for staff training, and requests the Secretary-General to pursue this policy in future programme budgets, taking into account the growing number of persons to be trained;

98. *Requests* the Secretary-General to deploy all necessary human and financial resources to maintain the teaching at all levels of the official and working languages of the Secretariat and to maintain the training of the Organization's translators and revisers;

Section 27D. Support services

99. *Recognizes* the importance of the security system and guards in the United Nations, and requests the Secretary-General to keep under review the level of resources allocated to this function;

100. *Decides* that all procurement-related functions should be performed only by United Nations staff, taking into account the provisions of General Assembly resolution 51/243;

Section 27H. Administration, Nairobi

101. *Requests* the Secretary-General to bring the financial arrangements of the United Nations Office at Nairobi into line with those of similar United Nations administrative offices and to provide the United Nations Centre for Human Settlements (Habitat) with the capacity to improve its financial and administrative management;

Section 30. Special expenses

102. *Requests* the Secretary-General to apportion general operating expenses relating to the bank charges among the various sources of funds to which financial interests are credited, on a pro rata basis;

Section 31. Capital expenditures: construction, alteration, improvement and major maintenance

103. *Notes with concern* the high proportion of projects deferred from the previous biennium in the total proposed requirements for alteration, improvement and major maintenance, and emphasizes that such deferral eventually proves expensive for the Organization because of the negative effect it has on fixed assets;

104. *Endorses* the recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in paragraph XI.4 of its first report[76] to the effect that the Secretary-General should indicate in the next programme budget the value of United Nations-owned buildings and submit a comparison between United Nations and normal standards for the cost of maintenance vis-à-vis the value of buildings;

Section 34. Development account

105. *Notes* that arrangements and procedures for utilization of the development account are to be formulated, and calls upon the Secretary-General to report on the issue before the end of March 1998;

106. *Decides* that the amount of 362,000 United States dollars saved as a result of the abolition of the High-level Advisory Board on Sustainable Development shall be transferred to the development account.

79th plenary meeting
22 December 1997

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[74] Resolution 22 A (I).

[75] A/52/7 (Chap. II, Part VIII). For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 7.*

[76] A/52/7 (Chap. II, Part XI). For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 7.*

ANNEX I

A. Staffing table for 1998 and 1999

	1998	1999
Professional and higher categories		
Deputy Secretary-General	1	1
Under-Secretary-General	25	25
Assistant Secretary-General	18	18
D-2	76	75
D-1	257	253
P-5	672	671
P-4/3	2 154	2 142
P-2/1	439	436
Total	3 642	3 621
General Service category		
Principal level	269	269
Other levels	2 746	2 732
Total	3 015	3 001
Other categories		
Security Service	171	171
Local level	1 590	1 576
Field Service	187	187
Trades and Crafts	187	185
Total	2 135	2 119
Grand total	**8 792**	**8 741**

B. Staffing table for the International Civil Service Commission, the Joint Inspection Unit and conference and security services at Vienna, 1998-1999

	International Civil Service Commission	*Joint Inspection Unit*	*Conference services, Vienna*	*Security services, Vienna*
Professional and higher categories				
D-2	1	1	-	-
D-1	3	-	1	-
P-5	3	2	9	1
P-4/3	10	5	66	1
P-2/1	3	2	1	-
Total	20	10	77	2
General Service category				
Principal level	2	1	6	1
Other levels	22	8	86	82
Total	24	9	92	83
Grand total	**44**	**19**	**169**	**85**

ANNEX II

Changes to the programme narratives of the proposed programme budget for the biennium 1998-1999,[63] as reflected in the conclusions and recommendations of the Committee for Programme and Coordination at its thirty-seventh session,[65] and additional modifications

1. At the end of paragraph 1.41, add:

"The primary function of the Office of External Relations is outreach, promotion and maintenance of the relations of the United Nations in civil society, including non-governmental organizations, the business world, academic institutions, foundations, professional associations, parliamentarians, trade unions and the religious community. Its work is complementary to that of the Office of Communications and Public Information. While the latter disseminates information to the press and other media and the general public, as well as providing services to non-governmental organizations associated with it, the Office of External Relations focuses on an in-depth relationship between key institutions of civil society and the Secretary-General. It chairs an interdepartmental working group that provides advice to the Secretary-General on his relationship with non-governmental organizations. It works closely with the speech writers and the Spokesman for the Secretary-General and confers with the Protocol and Liaison Service in connection with requests and visits by leaders of civil society, but does not undertake protocol functions. In close cooperation and coordination with the Office of Communications and Public Information, the Office of External Relations develops a communication strategy and core message that is consistent, compelling and well coordinated."

2. In paragraph 2.50, after the second sentence, insert:

"The functions of the proposed liaison office at Addis Ababa would be:

"(*a*) To facilitate the exchange of information and the coordination of initiatives and efforts in the areas of preventive diplomacy and peacemaking, as well as in the democratization process in Africa:

"(i) Following closely the deliberations of the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity and advising Headquarters of political initiatives of concern to the United Nations discussed by the Mechanism;

"(ii) Carrying out liaison with the Division for Conflict Resolution of the Organization of African Unity and the Department of Political

> Affairs at large, with a view to enhancing cooperation on specific political issues of priority concern to the United Nations and the Organization of African Unity;
>
> "(iii) Supporting the activities of joint United Nations/Organization of African Unity special representatives;
>
> "(*b*) To coordinate the implementation of the programmes of cooperation between the United Nations system and the Organization of African Unity agreed to at the annual meetings between their secretariats;
>
> "(*c*) To perform such representational functions as may be required and necessary at relevant meetings of the Organization of African Unity at Addis Ababa."

3. In paragraph 2.120:

(*a*) The second sentence should read: "Since the end of the cold war, developments have taken place in a number of important areas in the field of arms control and disarmament.";

(*b*) In the last sentence, delete "and the need for their further integration into the broader international efforts to enhance peace and security".

4. In paragraph 2.124, at the end of the sixth sentence, add "in the field of arms control and disarmament".

5. Paragraph 3.10 should read:

> "The Department must maintain a capacity to discharge effectively those tasks assigned to it, in accordance with the Charter of the United Nations and taking into account the important contribution that regional arrangements and agencies, within their respective mandates, scope and composition, can make to peacekeeping, in accordance with Chapter VIII of the Charter."

6. In paragraph 3.19 (*b*), replace "disarmament, demobilization and reintegration of armed forces" with "disarmament and demobilization".

7. In paragraph 6.58, after "*Reports of International Arbitral Awards*" insert ", the update of summaries of judgments, advisory opinions and orders of the International Court of Justice".

8. In paragraph 11A.46, second sentence, after "certain developing countries" insert ", such as landlocked and small island developing countries,".

9. In paragraph 11A.60, add an additional subparagraph reading:

> "(*d*) The capacity of island developing countries to alleviate special development constraints relating to the high transport costs will have been improved."

10. In paragraph 13.22, fourth sentence, replace "partners" with "local authorities, non-governmental organizations, the private sector".

11. Paragraph 14.2 (*b* (ii) should read:

> "Supporting the strengthening of the capacity of Governments, at their request, to improve their legislation and criminal justice systems;".

12. Paragraph 14.2 (*c*) (iii) should read:

> "Elaborating and assisting Member States in the implementation of effective strategies and practical arrangements for consistent and efficient cooperation against major forms of criminality, such as organized transnational crime, including drug trafficking, corruption, terrorism in all its forms and manifestations, the smuggling of illegal migrants, trafficking in women and children, environmental offences, the laundering of the proceeds of crime, fraudulent operations and other forms of economic crime;".

13. In paragraph 15.8, delete "and help to set the agenda for international drug control for the following decade".

14. After paragraph 15.8, add a new paragraph reading:

> "The Programme will provide services to the Commission on Narcotic Drugs, as the preparatory body of the special session of the General Assembly devoted to the combat against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances and related activities, to be held in June 1998."

and renumber the subsequent paragraphs accordingly.

15. After former paragraph 15.12, add a new paragraph reading:

> "At the 1998 session of the Commission on Narcotic Drugs, at least five days will be devoted to the preparation of the special session of the General Assembly devoted to the combat against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances and related activities."

and renumber the subsequent paragraphs accordingly.

16. In former paragraph 15.18 (*a*) (i), delete "Prepare for and participate in the high-level segment of the Economic and Social Council" and replace "on drug control" by "devoted to the combat against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances and related activities".

17. In former paragraph 15.18 (*a*) (ii), add a new subparagraph reading:

> "c. Documents for the preparatory process of the special session of the General Assembly;".

18. After former paragraph 15.18 (*c*), add a new subparagraph reading:

> "(*d*) The Programme will compile the recommendations presented to the Commission on Narcotic Drugs, as the preparatory body of the special session, by the organs, organizations and specialized agencies of the United Nations system, as well as by multilateral development banks, on the issues to be addressed by the special session."

19. In former paragraph 15.28 (*a*) (ii) a., after "Action Plan on Drug Abuse Control;" delete "and" and, at the end of the paragraph, add "and documentation for the preparatory process of the special session".

20. At the end of former paragraph 15.28 (*b*) (iii), add ", including public relations material to promote the special session of the General Assembly devoted to the combat against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances and related activities".

21. In former paragraph 15.36, second sentence, item (*c*), replace "special session of the General Assembly on international drug control" with "special session of the General Assembly devoted to the combat against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances and related activities".

22. In former paragraph 15.37 (*a*) (ii) a., after "Global Programme of Action;" delete "and" and after "1988 Convention;" add "and report of the Commission on Narcotic Drugs, as the preparatory body of the special session of the General Assembly devoted to the combat against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances and related activities, containing the recommendations for the special session".

23. In former paragraph 15.37 (*a*) (ii) c., after "bodies of the Commission;" delete "and" and after "its subsidiary bodies;" add "and documents on possible results of the special session of the General Assembly, in particular with possible measures to strengthen the implementation of the international drug conventions".

24. In former paragraph 15.42, first sentence, after "will focus" insert "in 1998 on the preparation of a draft of a declaration of the United Nations on the principles for the reduction of the demand, which could be approved at the special session of the General Assembly in June 1998. Furthermore, activities will focus".

25. In paragraph 19.58 (*c*), after "SIECA" insert ", CARICOM".

26. In paragraph 22.1:

(*a*) After the first sentence, insert a new sentence reading: "It is based on the Vienna Declaration and Programme of Action.";

(*b*) In the second sentence, delete "at the national level", after "protection of" insert "all" and after "realization of" insert "all".

27. In paragraph 22.3:

(*a*) In the first sentence, replace "new global and integrated approach" with "global, integrated and balanced approach" and delete "and the Centre for Human Rights has been reorganized";

(*b*) In the third sentence, replace "It will be implemented through a new management structure" with "It will be implemented in accordance with General Assembly resolution 52/121 of 12 December 1997 through a new management structure";

(*c*) Delete the last sentence.

28. In paragraph 22.4, first sentence, replace "By providing high-quality research and analysis, the programme of work will aim" with "The programme will provide high-quality research and analysis. The programme of work will also aim".

29. After paragraph 22.4, add a new paragraph reading:

> "The programme will support the United Nations human rights bodies and organs and facilitate their deliberations by ensuring and enhancing their effective functioning and the analytical capacity of the treaty bodies."

and renumber the subsequent paragraphs accordingly.

30. In former paragraph 22.5, second sentence, after "human rights activities;" delete "effective".

31. Former paragraph 22.24 should read:

> "Resource requirements for the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families in 1998-1999 will be submitted when the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families enters into force."

32. In former paragraph 22.29, after "coordination of" insert "human rights" and after "New York-based organizations and departments" insert "in accordance with relevant mandates".

33. In former paragraph 22.33, delete "monitoring".

34. Replace former paragraph 22.37 with two new paragraphs reading:

> "The primary objectives of this subprogramme will include promotion and protection of the right to development. In this regard, the objectives will be to develop an integrated and multidimensional strategy for the implementation, coordination and promotion of the right to development in accordance with the Declaration on the Right to Development and subsequent mandates and the Vienna Declaration and Programme of Action aimed at facilitating action to be taken by relevant bodies of the United Nations system, including treaty bodies,

> international development and financial institutions and non-governmental organizations, for the implementation of the right to development as an integral part of fundamental human rights, ensuring the realization of the right to development across the human rights programme and by specialized agencies and United Nations treaty bodies; to promote national implementation of the right to development through coordination with State-appointed officials; to identify obstacles at the national and international levels; and to promote awareness about the content and importance of the right to development, including through information and educational activities.
>
> "With regard to research and analysis, the objectives will be to strengthen respect for human rights by increasing knowledge, awareness and understanding of human rights issues through data collection, research and analysis. These objectives will be pursued within the framework of the indivisibility, interdependence and interrelatedness of all human rights and will be aimed at facilitating the implementation of standards, the work of treaty bodies, special rapporteurs and other bodies and the preparation of new standards; ensuring the recognition at the national and international levels of economic, social and cultural rights; promoting democracy and strengthening national human rights institutions and procedures for the rule of law; contributing to the elimination of racism, racial discrimination, xenophobia and new forms of discrimination; strengthening the recognition of the human rights of women and children; and protecting vulnerable groups such as minorities, migrant workers and indigenous people."

and renumber the subsequent paragraphs accordingly.

35. Former paragraph 22.40 (*c*) (i) should read:

> "Participation in the work of the Administrative Committee on Coordination in accordance with relevant mandates;".

36. Former paragraph 22.53 should read:

> "The focus of activities is to assist countries, at the request of the Governments concerned, in promoting and protecting the enjoyment of human rights through advisory services and technical cooperation projects and to provide support to human rights fact-finding procedures and field activities."

37. In former paragraph 22.55:

(*a*) At the end of the first sentence, add ", taking duly into account the principles of impartiality, objectivity and non-selectivity in the use of information";

(*b*) The fourth sentence should read: "Currently there are 42 mandates: 16 are country- or territory-oriented, 12 are thematic and 14 are entrusted to the Secretary-General.".

38. Former paragraph 22.57 (*a*) (ii) should read:

> "Parliamentary documentation:
>
> "Fourteen reports to the General Assembly;
>
> "Forty-six reports to the General Assembly and the Commission on Human Rights;
>
> "Forty-nine reports to the Commission on Human Rights;".

39. In former paragraph 22.57 (*c*) (i), after "coordination" add ", in accordance with General Assembly resolution 48/141,".

40. At the end of former paragraph 22.57 (*c*) (ii), add ", taking duly into account the principles of impartiality, objectivity and non-selectivity".

41. In paragraph 23.3, first sentence:

(*a*) Under item (*a*), replace "forced population movements as well as finding solutions" with "forced population displacement as well as finding comprehensive solutions";

(*b*) Insert a new item (*d*) reading: "the provision of humanitarian assistance for the care and maintenance of refugees in an appropriate manner, on the basis of the principle of international burden sharing and solidarity, with due attention being given to the prolonged presence of refugees, in particular in the developing countries;" and renumber the subsequent items accordingly.

42. At the end of former paragraph 23.7, add a new sentence reading: "Decentralization as well as delegation of authority and distribution of resources, where applicable, to regional offices would lead to better performance and provide the flexibility needed."

43. In former paragraph 23.10 (*c*) (vi), after the second sentence, insert a new sentence reading: "These solutions should be realistic and based on specific situations."

44. In former paragraph 23.11, first sentence, after "local settlement" insert ", resettlement".

45. In paragraph 26.39 (*a*) (i) a., replace "*UN Chronicle* (six issues annually, in English and French)" with "*UN Chronicle* (four issues annually, in all languages)".

ANNEX III

Changes to be made in the programme narratives contained in the report of the Secretary-General entitled "United Nations reform: measures and proposals"

1. Replace paragraphs 2B.1 and 2B.2 of the report of the Secretary-General of 11 September 1997 entitled "United Nations reform: measures and proposals"[77] with the following new paragraphs based on programme 26 of the medium-term plan for the period 1998-2001,[66] and renumber the subsequent paragraphs accordingly:

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[77] A/52/303.

"2B.1 The mandate for the programme on disarmament stems from the Charter of the United Nations and from the aims and purposes proclaimed by the General Assembly. The implementation of the programme should be guided by the priorities established in the relevant General Assembly resolutions and decisions. The new Department for Disarmament Affairs will be responsible for implementing the programme.

"2B.2 The first objective of the programme is to provide organizational and substantive secretariat support to multilateral bodies entrusted with deliberation and/or negotiations on disarmament issues, including the meeting of States parties and other international meetings related to multilateral disarmament agreements.

"2B.3 The second objective is to follow and assess current and future trends in the field of disarmament and international security in order to assist Member States, and to enable the Secretary-General also to assist them, in their search for agreement. Apart from substantive issues involved in the deliberative and/or negotiating process, this activity should address the challenges arising from the implementation of the relevant General Assembly resolutions as well as relevant treaties.

"2B.4 The third objective will be to support and promote regional disarmament efforts and initiatives using approaches freely among the States of the region and taking into account the legitimate requirements of States for self-defence and specific characteristics of each region. Regional solutions will be more vigorously pursued as regional conflicts increasingly pose a threat to peace and security. Regional dialogue on crucial disarmament and security issues will be advanced through, *inter alia*, the organization of conferences.

"2B.5 The fourth objective consists in providing impartial, factual information on the disarmament efforts of the United Nations to Member States, parliamentarians, research and academic institutions and specialized non-governmental organizations through the disarmament information programme and by providing Member States with full access to all relevant databases, including those on disarmament. This would include, as appropriate, organizing open-ended conferences, seminars and workshops for informal exchanges of views on arms control, disarmament and international security issues. The disarmament fellowship programme will continue to be pursued with the primary objective of promoting further the disarmament expertise of Member States, in particular in the developing countries. Member States will be assisted in addressing specific disarmament concerns through the provision of training and advisory services.

"2B.6 The fifth objective would be to continue to inform the public on an objective and updated basis of United Nations disarmament activities. In that context, the three regional centres for peace and disarmament established in Nepal, Peru and Togo should be utilized. Those centres should address the important security problems in their respective regions and subregions in a balanced manner.

"2B.7 This programme is expected to enable Member States to conduct deliberations and negotiations on disarmament issues in a smooth and efficient manner; to facilitate the task of the Secretary-General in the conduct of his relations with Member States on disarmament matters; to contribute to an integrated approach to issues relating to the maintenance of peace and security; and to facilitate the exchange of ideas between governmental and non-governmental sectors with a view to promoting a better understanding of United Nations endeavours in the field of disarmament."

2. In paragraph 14.1, last sentence, after "terrorism" insert "in all its forms and manifestations".

3. In paragraph 14.2, first sentence, replace "especially organized crime ... and violence" by "in particular, organized transnational crime, economic crime, corruption, terrorism in all its forms and manifestations, environmental offences and illicit traffic in children and women".

4. In paragraph 14.3, first sentence, delete "national" and "the transition to".

5. At the end of paragraph 14.4, add "in all its forms and manifestations".

6. Paragraph 22.2 should read:

> "The programme aims at a major strengthening of coordination for human rights throughout the United Nations system leading to a comprehensive and integrated approach to the promotion and protection of human rights based on the contributions of each of the United Nations organs, bodies and specialized agencies whose activities deal with human rights and on improved inter-agency cooperation and coordination. The coordinating role of the Office of the United Nations

High Commissioner for Human Rights also implies that the New York Office should be strengthened."

7. Delete paragraphs 22.3 and 22.4 and renumber the subsequent paragraphs accordingly.

8. In paragraph 25.2 (*b*), delete ", notably the Security Council".

9. In subprogramme 2 (Complex emergencies), second sentence, replace "to include ... operations" with "in accordance with the medium-term plan for 1998-2001 and subsequent legislative mandates".

10. In paragraph 25.7, at the end of the fourth sentence, add "in accordance with resolution 51/243 on gratis personnel".

11. In paragraph 26.3, at the end of the second sentence, add ", as well as the views of the host Government".

12. In paragraph 27A.9, first sentence, replace "The Unit ... public sector" with "The Unit will also be responsible for ensuring that the Organization has the best possible managerial policies in place".

13. In paragraph 27A.10, second sentence, delete "national".

ANNEX IV

Section 7A. Economic and social affairs

A. *Breakdown of resources by subprogramme*
(Thousands of United States dollars)

	1998-1999 revised estimates
A. Policy-making organs	3 607.4
B. Executive direction and management	3 223.4
C. Programme of work	
Policy coordination and inter-agency support	9 746.4
Gender issues and advancement of women	7 350.2
Social policy and development	12 758.3
Sustainable development	11 716.0
Statistics	23 683.8
Population	8 322.2
Global development trends, issues and policies	10 139.3
Public economics and public administration	10 191.9
Desertification (1998 only)	1 580.8
D. Programme support	8 108.0
Subtotal	110 427.7
Financial implications	(362.3)
Fifth Committee adjustments	312.5
Recosting	(1 115.6)
1998-1999 initial appropriation	**109 262.3**

B. *Breakdown of resources by subprogramme and object of expenditure*

(Thousands of United States dollars)

	Posts	*Other staff costs*	*Non-staff compensation*	*Consultants and experts*	*Travel*	*Contractual services*	*General operating expenses*	*Hospitality*	*Supplies and materials*	*Furniture and equipment*	*Grants and contributions*	*Total*
A. Policy-making organs	-	-	142.0	-	3 076.9	-	-	-	-	-	-	3 218.9
B. Executive direction and management	2 582.9	-	-	-	221.6	-	-	-	-	-	399.0	3 203.5
C. Programme of work												
Policy coordination and inter-agency support	9 065.8	194.7	-	117.8	179.4	21.2	-	-	-	-	80.9	9 659.8
Gender issues and advancement of women	7 133.2	-	-	255.8	163.0	40.1	-	3.2	-	-	-	7 595.3
Social policy and development	11 755.3	118.1	-	468.7	192.0	59.2	-	-	-	-	55.4	12 648.7
Sustainable development	10 915.1	-	-	469.5	191.8	42.1	-	-	-	-	-	11 618.5
Statistics	21 621.6	284.0	-	385.7	153.3	385.1	-	-	-	-	619.9	23 449.6
Population	7 980.2	-	-	81.6	101.3	94.1	-	-	-	-	-	8 257.2
Global development trends, issues and policies	9 617.7	33.2	-	223.3	78.3	107.6	-	-	-	-	-	10 060.1
Public economics and public administration	9 492.8	-	-	335.9	200.7	45.2	-	-	-	-	-	10 074.6
Desertification (1998 only)	1 206.1	4.8	-	227.2	126.7	-	56.1	3.1	7.8	4.3	-	1 636.1
D. Programme support	4 227.0	557.1	-	-	-	89.4	1 810.9	16.8	237.8	901.0	-	7 840.0
TOTAL	**95 597.7**	**1 191.9**	**142.0**	**2 565.5**	**4 685.0**	**884.0**	**1 867.0**	**23.1**	**245.6**	**905.3**	**1 155.2**	**109 262.3**

52/221. Programme budget for the biennium 1998-1999

A

BUDGET APPROPRIATIONS FOR THE BIENNIUM 1998-1999

The General Assembly

Resolves that for the biennium 1998-1999:

1. Appropriations totalling 2,532,331,200 United States dollars are hereby approved for the following purposes:

Section	*United States dollars*
PART I. *Overall policy-making, direction and coordination*	
1A. Overall policy-making, direction and coordination	41 454 500
1B. General Assembly affairs and conference services	436 829 200
TOTAL, PART I	**478 283 700**
PART II. *Political affairs*	
2A. Political affairs	42 061 500
2B. Disarmament	13 310 600
3. Peacekeeping operations and special missions	146 760 600
4. Peaceful uses of outer space	3 967 300
TOTAL, PART II	**206 100 000**
PART III. *International justice and law*	
5. International Court of Justice	20 479 300
6. Legal affairs	33 035 400
TOTAL, PART III	**53 514 700**
PART IV. *International cooperation for development*	
7A. Economic and social affairs	109 262 300
8. Africa: New Agenda for Development	5 385 200
11A. Trade and development	96 296 900
11B. International Trade Centre UNCTAD/WTO	19 812 700
12. Environment	8 807 400
13. Human settlements	12 790 300
14. Crime control	5 413 600
15. International drug control	14 825 500
TOTAL, PART IV	**272 593 900**
PART V. *Regional cooperation for development*	
16. Economic and social development in Africa	87 926 400

Section	United States dollars
17. Economic and social development in Asia and the Pacific	56 167 500
18. Economic development in Europe	44 875 400
19. Economic and social development in Latin America and the Caribbean	87 906 900
20. Economic and social development in Western Asia	49 925 000
21. Regular programme of technical cooperation	43 567 700
TOTAL, PART V	**370 368 900**
PART VI. *Human rights and humanitarian affairs*	
22. Human rights	42 201 500
23. Protection of and assistance to refugees	46 005 900
24. Palestine refugees	21 221 800
25. Humanitarian assistance	17 933 700
TOTAL, PART VI	**127 362 900**
PART VII. *Public information*	
26. Communications and public information	138 040 400
TOTAL, PART VII	**138 040 400**
PART VIII. *Common support services*	
27. Administrative services	446 190 700
TOTAL, PART VIII	**446 190 700**
PART IX. *Internal oversight*	
28. Internal oversight	18 359 600
TOTAL, PART IX	**18 359 600**
PART X. *Jointly financed administrative activities and special expenses*	
29. Jointly financed administrative activities	5 627 400
30. Special expenses	52 837 000
TOTAL, PART X	**58 464 400**
PART XI. *Capital expenditures*	
31. Construction, alteration, improvement and major maintenance	34 550 300
TOTAL, PART XI	**34 550 300**

Section		*United States dollars*
PART XII. *Staff assessment*		
32. Staff assessment		315 436 700
	TOTAL, PART XII	**315 436 700**
PART XIII. *Development account*		
34. Development account		13 065 000
	TOTAL, PART XIII	**13 065 000**
	TOTAL, EXPENDITURE SECTIONS	**2 532 331 200**

2. The Secretary-General shall be authorized to transfer credits between sections of the budget, with the concurrence of the Advisory Committee on Administrative and Budgetary Questions;

3. The total net provision made under the various sections of the budget for contractual printing shall be administered as a unit under the direction of the United Nations Publications Board;

4. In addition to the appropriations approved under paragraph 1 above, an amount of 250,000 dollars is appropriated for each year of the biennium 1998-1999 from the accumulated income of the Library Endowment Fund for the purchase of books, periodicals, maps and library equipment and for such other expenses of the Library at the Palais des Nations as are in accordance with the objects and provisions of the endowment.

79th plenary meeting
22 December 1997

B

INCOME ESTIMATES FOR THE BIENNIUM 1998-1999

The General Assembly

Resolves that for the biennium 1998-1999:

1. Estimates of income other than assessments on Member States totalling 363,840,300 United States dollars are approved as follows:

Income section		*United States dollars*
1. Income from staff assessment		325 486 700
2. General income		33 743 600
3. Services to the public		4 610 000
	TOTAL, INCOME SECTIONS	**363 840 300**

2. The income from staff assessment shall be credited to the Tax Equalization Fund in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955;

3. Direct expenses of the United Nations Postal Administration, services to visitors, catering and related services, garage operations, television services and the sale of publications, not provided for under the budget appropriations, shall be charged against the income derived from those activities.

79th plenary meeting
22 December 1997

C

FINANCING OF APPROPRIATIONS FOR THE YEAR 1998

The General Assembly

Resolves that for the year 1998:

1. Budget appropriations consisting of 1,266,165,600 United States dollars, being half of the appropriations of 2,532,331,200 dollars approved for the biennium 1998-1999 by the General Assembly under paragraph 1 of resolution A above, and 61,209,000 dollars, being the

decrease in revised appropriations for the biennium 1996-1997 approved by the Assembly in its resolution 52/213 A of 22 December 1997, shall be financed in accordance with regulations 5.1 and 5.2 of the Financial Regulations of the United Nations as follows:

(*a*) 13,938,300 dollars, consisting of 19,176,800 dollars, being the net of half of the estimated income other than staff assessment approved for the biennium 1998-1999 under resolution B above, less 5,238,500 dollars, being the decrease in income other than staff assessment for the biennium 1996-1997;

(*b*) 109,278 dollars, being the contributions of new Member States for 1995;

(*c*) 1,190,909,022 dollars, being the assessment on Member States in accordance with its resolution 52/215 A of 22 December 1997 on the scale of assessments for the years 1998 and 1999;

2. There shall be set off against the assessment on Member States, in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955, their respective share in the Tax Equalization Fund in the total amount of 139,281,750 dollars, consisting of:

(*a*) 162,743,350 dollars, being half of the estimated staff assessment income approved for the biennium 1998-1999 under resolution B above;

(*b*) Less 23,461,600 dollars, being the decrease in income from staff assessment for the biennium 1996-1997 approved by the Assembly in its resolution 52/215 A.

79th plenary meeting
22 December 1997

52/222. Special subjects relating to the proposed programme budget for the biennium 1998-1999

The General Assembly

I

REQUEST FOR A SUBVENTION TO THE UNITED NATIONS INSTITUTE FOR DISARMAMENT RESEARCH RESULTING FROM THE RECOMMENDATIONS OF THE BOARD OF TRUSTEES OF THE INSTITUTE CONTAINED IN THE REPORT OF THE BOARD[78]

Approves the recommendation of a subvention of 213,000 United States dollars from the regular budget of the United Nations for 1998, on the understanding that no additional appropriation would be required under section 2B (Disarmament) of the proposed programme budget for the biennium 1998-1999;[79]

II

JOINT INSPECTION UNIT

Approves a gross budget for the Joint Inspection Unit for the biennium 1998-1999 in the amount of 8,174,000 dollars;[80]

III

INTERNATIONAL CIVIL SERVICE COMMISSION

Approves a gross budget for the International Civil Service Commission for the biennium 1998-1999 in the amount of 11,475,800 dollars;[80]

IV

REVISED ESTIMATES RESULTING FROM RESOLUTIONS AND DECISIONS OF THE ECONOMIC AND SOCIAL COUNCIL AT ITS ORGANIZATIONAL AND SUBSTANTIVE SESSIONS OF 1997

Takes note of the report of the Secretary-General[81] on revised estimates resulting from resolutions and decisions of the Economic and Social Council at its organizational and substantive sessions of 1997;

V

ADMINISTRATIVE EXPENSES OF THE UNITED NATIONS JOINT STAFF PENSION FUND

Having considered the report of the Standing Committee of the United Nations Joint Staff Pension Board to the General Assembly and to the member organizations of the United Nations Joint Staff Pension Fund,[82] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[83]

1. *Concurs* with the recommendations of the Advisory Committee on Administrative and Budgetary Questions on the administrative expenses of the United Nations Joint Staff Pension Fund;[84]

2. *Approves* expenses, chargeable directly to the Fund, totalling 50,069,500 dollars net for the biennium 1998-1999 and an increase in expenses of 4,031,300 dollars net for the biennium 1996-1997, for the administration of the Fund;

3. *Also approves* an addition to the regular budget of the United Nations for the biennium 1998-1999 in the amount of 2,224,900 dollars for the United Nations share of mainframe computer services utilized by the Fund and an amount of 108,600 dollars to be added to the United Nations share of the costs of external audit of the Fund;

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[78] A/52/272, annex II, para. 58.

[79] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 6* (A/52/6/Rev.1); and A/52/303 and Add.1.

[80] Ibid., *Supplement No. 6* (A/52/6/Rev.1), vol. II, sect. 29; and A/52/303 and Add.1.

[81] A/C.5/52/17.

[82] A/52/278.

[83] A/52/519.

[84] Ibid., paras. 26 and 27.

4. *Authorizes* the United Nations Joint Staff Pension Board to supplement the voluntary contributions to the Emergency Fund for the biennium 1998-1999 by an amount not exceeding 73,000 dollars, so that the resources available to the Emergency Fund for the biennium 1998-1999 would amount to 200,000 dollars after taking into account a voluntary contribution received by the Fund as a bequest from a retired participant;

VI

CONTINGENCY FUND

Notes that a balance of 18,754,800 dollars remains in the contingency fund;[85]

VII

AGREEMENT BETWEEN THE UNITED NATIONS AND THE CARNEGIE FOUNDATION CONCERNING THE USE OF THE PEACE PALACE AT THE HAGUE

1. *Takes note* of the report of the Secretary-General on the draft supplementary agreement between the United Nations and the Carnegie Foundation concerning the use of the Peace Palace at The Hague[86] and the recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in its report;[87]

2. *Approves* the draft supplementary agreement between the United Nations and the Carnegie Foundation concerning the use of the Peace Palace at The Hague.

79th plenary meeting
22 December 1997

52/223. Unforeseen and extraordinary expenses for the biennium 1998-1999

The General Assembly

1. *Authorizes* the Secretary-General, with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions and subject to the Financial Regulations of the United Nations and the provisions of paragraph 3 below, to enter into commitments in the biennium 1998-1999 to meet unforeseen and extraordinary expenses arising either during or subsequent to the biennium, provided that the concurrence of the Advisory Committee shall not be necessary for:

(*a*) Such commitments, not exceeding a total of 5 million United States dollars in any one year of the biennium 1998-1999, as the Secretary-General certifies relate to the maintenance of peace and security;

(*b*) Such commitments as the President of the International Court of Justice certifies relate to expenses occasioned by:

(i) The designation of ad hoc judges (Statute of the International Court of Justice, Article 31), not exceeding a total of 300,000 dollars;

(ii) The calling of witnesses and the appointment of experts (Statute, Article 50) and the appointment of assessors (Statute, Article 30), not exceeding a total of 50,000 dollars;

(iii) The maintenance in office for the completion of cases of judges who have not been re-elected (Statute, Article 13, paragraph 3), not exceeding a total of 40,000 dollars;

(iv) The payment of pensions and travel and removal expenses of retiring judges, and travel and removal expenses and installation grant of members of the Court (Statute, Article 32, paragraph 7), not exceeding a total of 180,000 dollars;

(v) The work of the Court or its Chambers away from The Hague (Statute, Article 22), not exceeding a total of 50,000 dollars;

(*c*) Such commitments, not exceeding a total of 500,000 dollars, in the biennium 1998-1999, as the Secretary-General certifies are required for interorganizational security measures pursuant to section IV of General Assembly resolution 36/235 of 18 December 1981;

2. *Resolves* that the Secretary-General shall report to the Advisory Committee and to the General Assembly at its fifty-third and fifty-fourth sessions all commitments made under the provisions of the present resolution, together with the circumstances relating thereto, and shall submit supplementary estimates to the Assembly in respect of such commitments;

3. *Decides* that, for the biennium 1998-1999, if a decision of the Security Council results in the need for the Secretary-General to enter into commitments relating to the maintenance of peace and security in an amount exceeding 10 million dollars in respect of the decision, that matter shall be brought to the General Assembly, or, if the Assembly is suspended or not in session, a resumed or special session of the Assembly shall be convened by the Secretary-General to consider the matter.

79th plenary meeting
22 December 1997

52/224. Working Capital Fund for the biennium 1998-1999

The General Assembly

Resolves that:

1. The Working Capital Fund shall be established for the biennium 1998-1999 in the amount of 100 million United States dollars;

2. Member States shall make advances to the Working Capital Fund in accordance with the scale adopted by the General Assembly for contributions of Member States to the budget for the year 1998;

3. There shall be set off against this allocation of advances:

(*a*) Credits to Member States resulting from transfers made in 1959 and 1960 from the surplus account to the Working Capital Fund in an adjusted amount of 1,025,092 dollars;

(*b*) Cash advances paid by Member States to the Working Capital Fund for the biennium 1996-1997 in accordance with General Assembly resolution 50/218 of 23 December 1995;

4. Should the credits and advances paid by any Member State to the Working Capital Fund for the biennium 1996-1997 exceed the amount of that Member State's advance under the provisions of paragraph 2 above, the excess shall be set off against

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[85] A/C.5/52/35, para. 3.

[86] A/C.5/52/16.

[87] See A/52/7/Add.5. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 7A.*

the amount of the contributions payable by the Member State in respect of the biennium 1998-1999;

5. The Secretary-General is authorized to advance from the Working Capital Fund:

(*a*) Such sums as may be necessary to finance budgetary appropriations pending the receipt of contributions; sums so advanced shall be reimbursed as soon as receipts from contributions are available for the purpose;

(*b*) Such sums as may be necessary to finance commitments that may be duly authorized under the provisions of the resolutions adopted by the General Assembly, in particular resolution 52/223 of 22 December 1997 relating to unforeseen and extraordinary expenses; the Secretary-General shall make provision in the budget estimates for reimbursing the Working Capital Fund;

(*c*) Such sums as may be necessary to continue the revolving fund to finance miscellaneous self-liquidating purchases and activities that, together with net sums outstanding for the same purpose, do not exceed 200,000 dollars; advances in excess of the total of 200,000 dollars may be made with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions;

(*d*) With the prior concurrence of the Advisory Committee, such sums as may be required to finance payments of advance insurance premiums where the period of insurance extends beyond the end of the biennium in which payment is made; the Secretary-General shall make provision in the budget estimates of each biennium, during the life of the related policies, to cover the charges applicable to each biennium;

(*e*) Such sums as may be necessary to enable the Tax Equalization Fund to meet current commitments pending the accumulation of credits; such advances shall be repaid as soon as credits are available in the Tax Equalization Fund;

6. Should the provision in paragraph 1 above prove inadequate to meet the purposes normally related to the Working Capital Fund, the Secretary-General is authorized to utilize, in the biennium 1998-1999, cash from special funds and accounts in his custody, under the conditions approved by the General Assembly in its resolution 1341 (XIII) of 13 December 1958, or the proceeds of loans authorized by the Assembly.

79th plenary meeting
22 December 1997

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VII. RESOLUTIONS ADOPTED ON THE REPORTS OF THE SIXTH COMMITTEE

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Resolution No.	*Title*	*Page*
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52/151. Convention on jurisdictional immunities of States and their property

The General Assembly,

Recalling its resolution 49/61 of 9 December 1994,

Considering that the codification and progressive development of international law contributes to the implementation of the purposes and principles set forth in Articles 1 and 2 of the Charter of the United Nations,

Having considered the report of the Secretary-General,[1]

1. *Decides* to consider again at its fifty-third session the item entitled "Convention on jurisdictional immunities of States and their property" with a view to the establishment of a working group at its fifty-fourth session, taking into account the comments submitted by States in accordance with paragraph 2 of resolution 49/61;

2. *Urges* States, if they have not yet done so, to submit their comments to the Secretary-General in accordance with resolution 49/61.

72nd plenary meeting
15 December 1997

52/152. United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

The General Assembly,

Recalling paragraph 16 of its resolution 50/43 of 11 December 1995 and paragraph 14 of section IV of the annex to its resolution 51/157 of 16 December 1996,

Taking note with appreciation of the report of the Secretary-General on the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law[2] and the guidelines and recommendations on future implementation of the Programme which were adopted by the Advisory Committee on the Programme and are contained in section III of that report,

Bearing in mind that the encouragement of the teaching, study, dissemination and wider appreciation of international law is one of the main objectives of the United Nations Decade of International Law, as declared in its resolution 44/23 of 17 November 1989 and further reaffirmed and expanded in section IV of the programme for the activities for the first term (1990-1992), the second term (1993-1994), the third term (1995-1996) and the final term (1997-1999), annexed to resolutions 45/40 of 28 November 1990, 47/32 of 25 November 1992, 49/50 of 9 December 1994 and 51/157, respectively,

Considering that international law should occupy an appropriate place in the teaching of legal disciplines at all universities,

Noting with appreciation the efforts made by States at the bilateral level to provide assistance in the teaching and study of international law,

Convinced, nevertheless, that States and international organizations and institutions should be encouraged to give further support to the Programme and increase their activities to promote the teaching, study, dissemination and wider appreciation of international law, in particular those activities which are of special benefit to persons from developing countries,

Reaffirming its resolutions 2464 (XXIII) of 20 December 1968, 2550 (XXIV) of 12 December 1969, 2838 (XXVI) of 18 December 1971, 3106 (XXVIII) of 12 December 1973, 3502 (XXX) of 15 December 1975, 32/146 of 16 December 1977, 36/108 of 10 December 1981 and 38/129 of 19 December 1983, in which it stated or recalled that in the conduct of the Programme it was desirable to use as far as possible the resources and facilities made available by Member States, international organizations and others, as well as its resolutions 34/144 of 17 December 1979, 40/66 of 11 December 1985, 42/148 of 7 December 1987, 44/28 of 4 December 1989, 46/50 of 9 December 1991 and 48/29 of 9 December 1993, in which, in addition, it expressed or reaffirmed the hope that, in appointing lecturers for the seminars to be held within the framework of the fellowship programme in international law, account would be taken of the need to secure representation of major legal systems and balance among various geographical regions,

1. *Approves* the guidelines and recommendations contained in section III of the report of the Secretary-General[2] and adopted by the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, in particular those designed to achieve the best possible results in the administration of the Programme within a policy of maximum financial restraint;

2. *Also approves* the establishment of the United Nations Audiovisual Library in International Law as proposed by the Secretary-General in paragraph 89 and the annex to his report;

3. *Authorizes* the Secretary-General to carry out in 1998 and 1999 the activities specified in his report, including the provision of:

(*a*) A number of international law fellowships in both 1998 and 1999, to be determined in the light of the overall resources for the Programme and to be awarded at the request of Governments of developing countries;

(*b*) A minimum of one scholarship in both 1998 and 1999 under the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, subject to the availability of new voluntary contributions made specifically to the fellowship fund;

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[1] A/52/294.

[2] A/52/524.

(*c*) Subject to the overall resources for the Programme, assistance in the form of a travel grant for one participant from each developing country, who would be invited to possible regional courses to be organized in 1998 and 1999; and to finance the above activities from provisions in the regular budget, when appropriate, as well as from voluntary financial contributions earmarked for each of the activities concerned, which would be received as a result of the requests set out in paragraphs 14 to 16 below;

4. *Expresses its appreciation* to the Secretary-General for his constructive efforts to promote training and assistance in international law within the framework of the Programme in 1996 and 1997, in particular for the organization of the thirty-second[3] and thirty-third[4] sessions of the International Law Seminar, held at Geneva in 1996 and 1997, respectively, and for the activities of the Office of Legal Affairs of the Secretariat related to the fellowship programme in international law and to the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, carried out, respectively, through its Codification Division and its Division for Ocean Affairs and the Law of the Sea;

5. *Requests* the Secretary-General to consider the possibility of admitting, for participation in the various components of the Programme, candidates from countries willing to bear the entire cost of such participation;

6. *Also requests* the Secretary-General to consider the relative advantages of using available resources and voluntary contributions for regional, subregional or national courses, as against courses organized within the United Nations system;

7. *Requests* the Secretary-General to continue to provide the necessary resources to the programme budget for the Programme for the next and the future bienniums with a view to maintaining the effectiveness of the Programme;

8. *Welcomes* the efforts undertaken by the Office of Legal Affairs to bring up to date the United Nations *Treaty Series* and the *United Nations Juridical Yearbook*, as well as efforts made to place on the Internet the *Treaty Series* and other legal information;

9. *Expresses its appreciation* to the United Nations Institute for Training and Research for its participation in the Programme through the activities described in the report of the Secretary-General;

10. *Also expresses its appreciation* to the United Nations Educational, Scientific and Cultural Organization for its participation in the Programme through the activities described in the report of the Secretary-General;

11. *Further expresses its appreciation* to the Hague Academy of International Law for the valuable contribution it continues to make to the Programme which has enabled candidates under the fellowship programme in international law to attend and participate in the Programme in conjunction with the Academy courses;

12. *Notes with appreciation* the contributions of the Hague Academy of International Law to the teaching, study, dissemination and wider appreciation of international law, and calls upon Member States and interested organizations to give favourable consideration to the appeal of the Academy for a continuation of support and a possible increase in their financial contributions, to enable the Academy to carry out its activities, particularly those relating to the summer courses, regional courses and programmes of the Centre for Studies and Research in International Law and International Relations;

13. *Urges* all States and relevant international organizations, whether regional or universal, to make all possible efforts to implement the goals and carry out the activities contemplated in section IV of the programme of activities for the final term (1997-1999) of the United Nations Decade of International Law, dealing with the encouragement of the teaching, study, dissemination and wider appreciation of international law and contained in the annex to resolution 51/157;

14. *Requests* the Secretary-General to continue to publicize the Programme and periodically to invite Member States, universities, philanthropic foundations and other interested national and international institutions and organizations, as well as individuals, to make voluntary contributions towards the financing of the Programme or otherwise to assist in its implementation and possible expansion;

15. *Reiterates its request* to Member States and to interested organizations and individuals to make voluntary contributions, *inter alia*, for the International Law Seminar, the fellowship programme in international law, the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea and the United Nations Audiovisual Library in International Law, and expresses its appreciation to those Member States, institutions and individuals which have made voluntary contributions for this purpose;

16. *Urges* in particular all Governments to make voluntary contributions for the organization of regional refresher courses in international law by the United Nations Institute for Training and Research, especially with a view to covering the amount needed for the financing of the daily subsistence allowance for up to twenty-five participants in each regional course, thus alleviating the burden on prospective host countries and making it possible for the Institute to continue to organize the regional courses;

17. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the Programme during 1998 and 1999 and,

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[3] See *Official Records of the General Assembly, Fifty-first Session, Supplement No. 10* and corrigendum (A/51/10 and Corr.1), chap. VII, sect. F.

[4] Ibid., *Fifty-second Session, Supplement No. 10* (A/52/10), chap. X, sect. H.

following consultations with the Advisory Committee on the Programme, to submit recommendations regarding the execution of the Programme in subsequent years;

18. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law".

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52/153. United Nations Decade of International Law

The General Assembly,

Recalling its resolution 44/23 of 17 November 1989, by which it declared the period 1990-1999 the United Nations Decade of International Law,

Recalling also that the main purposes of the Decade, according to resolution 44/23, should be, *inter alia*:

(*a*) To promote acceptance of and respect for the principles of international law,

(*b*) To promote means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice,

(*c*) To encourage the progressive development of international law and its codification,

(*d*) To encourage the teaching, study, dissemination and wider appreciation of international law,

Recalling further its resolution 51/157 of 16 December 1996, to which was annexed the programme for the activities for the final term (1997-1999) of the Decade, and its resolution 51/158 of 16 December 1996, entitled "Electronic treaty database",

Expressing its appreciation for the note submitted by the Secretary-General,[5] and having considered it,

Recalling that the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations of 21 March 1986[6] is one of the conventions adopted under the aegis of the United Nations which have codified the law of treaties, and recalling also the impact of the Convention on the practice of treaties concluded between States and international organizations or between international organizations,

Recalling also that at the forty-fifth session of the General Assembly the Sixth Committee established the Working Group on the United Nations Decade of International Law with a view to preparing generally acceptable recommendations on the programme of activities for the Decade,

Noting that at the fifty-second session of the General Assembly the Sixth Committee reconvened the Working Group to continue its work in accordance with resolution 51/157 and all previous resolutions on the question,

Having considered the oral report of the Chairman of the Working Group to the Sixth Committee,[7]

1. *Expresses its appreciation* for the work done on the United Nations Decade of International Law at the fifty-second session of the General Assembly, and requests the Working Group of the Sixth Committee to continue its work at the fifty-third session in accordance with its mandate and methods of work;

2. *Also expresses its appreciation* to States and international organizations and institutions that have undertaken activities, including sponsoring conferences on various subjects of international law, in implementation of the programme for the activities for the final term (1997-1999) of the Decade;

3. *Invites* all States and international organizations and institutions referred to in the programme to provide, update or supplement information on activities they have undertaken in implementation of the programme, as appropriate, to the Secretary-General for inclusion in the report requested in paragraph 8 of resolution 51/157;

4. *Encourages* States to disseminate at the national level, as appropriate, information contained in the note submitted by the Secretary-General;[5]

5. *Also encourages* States to consider ratifying or acceding to the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations,[6] international organizations that have signed the Convention to deposit an act of formal confirmation of the Convention and other international organizations entitled to do so to accede to it at an early date;

6. *Encourages* States parties and international organizations or agencies, including depositaries, in order to facilitate further implementation of the obligation laid down in Article 102 of the Charter of the United Nations to provide, where available, a copy of the text of any treaty in disk or other electronic format and to consider providing where available translations in English or French or both as may be needed, for the purpose of assisting with the timely publication of the United Nations *Treaty Series*;

7. *Invites* the Secretary-General to apply the provisions of article 12, paragraph 2, of the regulations to give effect to Article 102 of the Charter of the United Nations[8] to

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[5] A/52/363.

[6] A/CONF.129/15.

[7] See *Official Records of the General Assembly, Fifty-second Session, Sixth Committee*, 30th meeting (A/C.6/52/SR.30), and corrigendum.

[8] United Nations, *Treaty Series*, vol. 859.

multilateral treaties falling within the terms of article 12, paragraph 2 (*a*) to (*c*) of the regulations;

8. *Encourages* the Office of Legal Affairs of the Secretariat to continue in its efforts to facilitate access to information concerning United Nations activities in the field of international law and to bring up to date the publication of the *United Nations Juridical Yearbook*;

9. *Encourages* the Secretary-General to continue developing a policy of providing Internet access to the United Nations *Treaty Series* and the *Multilateral Treaties Deposited with the Secretary-General*, keeping in mind especially the needs of developing countries in recovering the costs thereof;

10. *Requests* the Secretary-General to proceed to translate and publish in the form of a report issued in the official languages of the United Nations a list of the titles of the treaties appearing in the publication *Multilateral Treaties Deposited with the Secretary-General*;

11. *Also requests* the Secretary-General to ensure that hard copies of the publications mentioned in paragraph 9 above continue to be distributed to permanent missions free of charge in accordance with their needs;

12. *Appeals* to States, international organizations and non-governmental organizations working in the field of international law and to the private sector to make financial contributions or contributions in kind for the purpose of facilitating the implementation of the programme;

13. *Once again requests* the Secretary-General to bring the programme to the attention of States and international organizations and institutions working in the field of international law;

14. *Notes with appreciation* the activities undertaken by the International Committee of the Red Cross in the field of international humanitarian law, including with regard to the protection of the environment in times of armed conflict;

15. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "United Nations Decade of International Law".

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52/154. Action dedicated to the 1999 centennial of the first International Peace Conference and to the closing of the United Nations Decade of International Law

The General Assembly,

Reaffirming once again the commitment of the United Nations and its Member States, as well as the States parties to the Statute of the International Court of Justice, to the goals of the United Nations Decade of International Law, expressed by the General Assembly in resolutions under that item of its agenda,[9]

Mindful of the long and well-established tradition of progressive development and codification of international law, marked by the first and the second International Peace Conference, held at The Hague in 1899 and 1907 respectively,

Recalling that a third international peace conference, scheduled to be held at The Hague in 1915, was not held because of the outbreak of the First World War the previous year,

Recalling also the proposal by the Russian Federation for a third international peace conference with a view to considering international law and order in the post-cold-war world at the threshold of the twenty-first century, referred to in General Assembly resolution 51/159 of 16 December 1996, and the initiatives undertaken by the Kingdom of the Netherlands with regard to the commemoration of the first International Peace Conference,

Recalling further that in resolution 51/159 the General Assembly invited the Governments of the Russian Federation and the Netherlands to arrange, as a matter of urgency, a preliminary discussion with other interested Member States on the substantive content of action to be taken in 1999 and to seek, in that respect, the cooperation of the International Court of Justice, the Permanent Court of Arbitration, relevant intergovernmental organizations, as well as other relevant organizations,

Noting, in this respect, that a meeting of the "Friends of 1999" was held on 22 April 1997 at the Peace Palace, The Hague, to which representatives of twenty States from all regions of the world, the International Court of Justice, the Permanent Court of Arbitration, the International Committee of the Red Cross and the coalition of non-governmental organizations, The Hague Appeal for Peace, were invited for consultations on proposals for a draft programme of action for the centennial of the first International Peace Conference,

Noting with satisfaction that the realization of all those proposals in the programme of action dedicated to the centennial of the first International Peace Conference, presented by the Netherlands and the Russian Federation,[10] is consistent with the goals of the United Nations Decade of International Law,

Noting also that the programme of action, *inter alia*, calls for the presentation of the results of the centennial discussions to the General Assembly at its fifty-fourth session, at the closing of the United Nations Decade of International Law,

Noting further that the programme of action does not entail budgetary implications for the United Nations,

1. *Welcomes* the programme of action dedicated to the centennial of the first International Peace Conference,

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[9] Notably resolutions 44/23 and 51/157.

[10] See A/C.6/52/3.

presented by the Governments of the Netherlands and the Russian Federation,[10] which aims at contributing to the further development of the themes of the first and the second International Peace Conference and could be regarded as a third international peace conference;

2. *Encourages*:

(*a*) The Governments of the Netherlands and the Russian Federation to proceed with the implementation of the programme of action;

(*b*) All States to participate in the activities set out in the programme of action, as well as to initiate such activities and to coordinate their efforts in this respect at the global level, as well as at the regional and national levels;

(*c*) All States to take appropriate measures to ensure universal participation in the activities pursuant to the programme of action, with special consideration for the participation of representatives of the least developed countries;

3. *Encourages* the competent United Nations organs, subsidiary organs, programmes and specialized agencies, including the International Court of Justice, the International Law Commission and the Secretariat, within their respective mandates, competencies and budgets, as well as other international organizations:

(*a*) To cooperate in the implementation of the programme of action and to coordinate their efforts in this respect;

(*b*) To consider participation in the activities envisaged in the programme of action;

4. *Requests* the Secretary-General to ensure consistency of the activities of the Organization relating to the closing of the United Nations Decade of International Law with the programme of action and to direct his efforts accordingly;

5. *Decides* to include in the provisional agenda of its fifty-third session, under the item entitled "United Nations Decade of International Law", a sub-item entitled "Progress in the action dedicated to the 1999 centennial of the first International Peace Conference and to the closing of the United Nations Decade of International Law".

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52/155. Draft guiding principles for international negotiations

The General Assembly,

Recalling the purposes and principles of the Charter of the United Nations concerning the maintenance of international peace and security and the promotion of cooperation among States, as well as Article 13, paragraph 1, of the Charter, whereby the General Assembly is called upon to initiate studies and make recommendations for the purpose of promoting international cooperation,

Taking into account the objectives of the United Nations Decade of International Law,

Reaffirming the provisions of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[11]

Bearing in mind that in their negotiations States should be guided by the relevant principles of international law,

Bearing in mind the important role that constructive and effective negotiations can play in attaining the purposes of the Charter by contributing to the management of international relations, the peaceful settlement of disputes and the creation of new international norms of conduct of States,

Noting that the identification and harmonization of guiding principles for international negotiations could contribute to enhancing the predictability of negotiating parties, reducing uncertainty and promoting an atmosphere of trust at negotiations, and could offer a frame of reference for negotiations,

Having considered the sub-item entitled "Draft guiding principles for international negotiations",

1. *Underlines* the importance of conducting effective negotiations in managing international relations, in the peaceful settlement of disputes and in the creation of new international norms of conduct of States;

2. *Takes note* of the draft guiding principles for international negotiations contained in document A/52/141 and the comments and proposals made during the consideration of the question, including the need for its further consideration;

3. *Decides* to continue the consideration of the question in the Working Group on the United Nations Decade of International Law during the fifty-third session of the General Assembly;

4. *Invites* all States and relevant international organizations to submit in writing to the Secretary-General, before 1 August 1998, comments and proposals on the content of the draft guiding principles for international negotiations;

5. *Requests* the Secretary-General to transmit the comments and proposals mentioned in paragraphs 2 and 4 above to the Working Group for its consideration;

6. *Decides* to include in the provisional agenda of its fifty-third session, under the item entitled "United Nations Decade of International Law", the sub-item entitled "Draft guiding principles for international negotiations".

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[11] Resolution 2625 (XXV), annex.

52/156. Report of the International Law Commission on the work of its forty-ninth session

The General Assembly,

Having considered the report of the International Law Commission on the work of its forty-ninth session,[12]

Emphasizing the importance of furthering the progressive development of international law and its codification as a means of implementing the purposes and principles set forth in the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[13]

Emphasizing also the role of the International Law Commission in the fulfilment of the objectives of the United Nations Decade of International Law,

Recognizing the desirability of referring legal and drafting questions to the Sixth Committee, including topics that might be submitted to the International Law Commission for closer examination, and of enabling the Sixth Committee and the Commission further to enhance their contribution to the progressive development of international law and its codification,

Recalling the need to keep under review those topics of international law which, given their new or renewed interest for the international community, may be suitable for the progressive development and codification of international law and therefore may be included in the future programme of work of the International Law Commission,

Stressing the usefulness of structuring the debate on the report of the International Law Commission in the Sixth Committee in such a manner that conditions are provided for concentrated attention to each of the main topics dealt with in the report,

Wishing to enhance further the interaction between the Sixth Committee as a body of government representatives and the International Law Commission as a body of independent legal experts, with a view to improving the dialogue between the two organs,

1. *Takes note* of the report of the International Law Commission on the work of its forty-ninth session,[12] and expresses its appreciation to the Commission for the work accomplished at that session, in particular for the completion of the first reading of draft articles on nationality of natural persons in relation to the succession of States and for the preliminary conclusions on reservations to normative multilateral treaties, including human rights treaties;

2. *Draws the attention* of Governments to the importance for the International Law Commission of having their views on all the specific issues identified in chapter III of its report and in particular on:

(*a*) The draft articles on nationality of natural persons in relation to the succession of States adopted on first reading by the Commission, and urges them to submit their comments and observations in writing by 1 October 1998;

(*b*) The preliminary conclusions of the Commission on reservations to normative multilateral treaties, including human rights treaties;

3. *Recommends* that, taking into account the comments and observations of Governments, whether in writing or expressed orally in debates in the General Assembly, the International Law Commission should continue its work on the topics in its current programme;

4. *Takes note* of the invitation by the International Law Commission to all treaty bodies set up by normative multilateral treaties that may wish to do so to provide, in writing, their comments and observations on the preliminary conclusions of the Commission on reservations to normative multilateral treaties, including human rights treaties, and takes note of the views expressed by Member States on the matter;

5. *Invites* Governments to submit comments and observations on the practical problems raised by the succession of States affecting the nationality of legal persons in order to assist the International Law Commission in deciding on its future work on this portion of the topic of "Nationality in relation to the succession of States";

6. *Recalls* the importance for the International Law Commission of having the views of Governments on the draft articles on State responsibility adopted on first reading by the Commission at its forty-eighth session in 1996;[14]

7. *Takes note* of the decision by the International Law Commission[15] to proceed with its work on the topic of "International liability for injurious consequences arising out of acts not prohibited by international law", undertaking, as a first step, the issue of prevention, and to reiterate its request to Governments to provide in writing, if they have not previously done so, their comments and observations on the topic, including the draft articles prepared by the Working Group of the Commission at its forty-eighth session in 1996,[16] in order to assist the Commission in its work on that topic;

8. *Endorses* the decision of the International Law Commission to include in its agenda the topics "Diplomatic protection" and "Unilateral acts of States";[17]

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[12] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 10* (A/52/10).

[13] Resolution 2625 (XXV), annex.

[14] See *Official Records of the General Assembly, Fifty-first Session, Supplement No. 10* and corrigendum (A/51/10 and Corr.1), chap. III, sect. D.

[15] Ibid., *Fifty-second Session, Supplement No. 10* (A/52/10), para. 168.

[16] Ibid., *Fifty-first Session, Supplement No. 10* and corrigendum (A/51/10 and Corr.1), annex I.

[17] Ibid., *Fifty-second Session, Supplement No. 10* (A/52/10), para. 221.

9. *Welcomes with appreciation* the steps taken by the International Law Commission in relation to its internal matters, and encourages it to continue enhancing its efficiency and productivity, taking into consideration the discussion held by the General Assembly at its fifty-second session;

10. *Takes note* of the comments of the International Law Commission on the question of a split session for 1998, as presented in paragraphs 225 to 227 of its report;[12]

11. *Takes note also* of the position of the International Law Commission contained in paragraph 228 of its report[12] on the duration of its future sessions;

12. *Requests* the International Law Commission to continue to pay special attention to indicating in its annual report, for each topic, those specific issues, if any, on which expressions of views by Governments, either in the Sixth Committee or in written form, would be of particular interest in providing effective guidance for the Commission in its further work;

13. *Takes note with appreciation* of the International Law Commission's ongoing review of its cooperation and relationship with other bodies concerned with international law, and requests the Commission, in consultation with the Secretary-General, to consider further the implementation of article 16, paragraph (*e*), and article 26, paragraph 2, of its statute;

14. *Notes* that consulting with national organizations and individual experts concerned with international law may assist Governments in considering whether to make comments and observations on drafts submitted by the Commission and in formulating their comments and observations;

15. *Reaffirms* its previous decisions concerning the role of the Codification Division of the Office of Legal Affairs of the Secretariat and those concerning the summary records and other documentation of the International Law Commission;

16. *Once again expresses the wish* that seminars will continue to be held in conjunction with the sessions of the International Law Commission and that an increasing number of participants from developing countries will be given the opportunity to attend those seminars, appeals to States that can do so to make the voluntary contributions that are urgently needed for the holding of the seminars, and requests the Secretary-General to provide the seminars with adequate services, including interpretation, as required;

17. *Requests* the Secretary-General to forward to the International Law Commission, for its attention, the records of the debate on the report of the Commission at the fifty-second session of the General Assembly, together with such written statements as delegations may circulate in conjunction with their oral statements, and to prepare and distribute a topical summary of the debate, following established practice;

18. *Expresses its appreciation* to the Secretary-General for the organization of a colloquium on the progressive development and codification of international law which was held on 28 and 29 October 1997 in commemoration of the fiftieth anniversary of the establishment of the International Law Commission;

19. *Welcomes* the decision of the International Law Commission to hold a two-day seminar at Geneva on 22 and 23 April 1998 to celebrate the fiftieth anniversary of the Commission;

20. *Recommends* that the debate on the report of the International Law Commission at the fifty-third session of the General Assembly commence on 26 October 1998.

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52/157. Report of the United Nations Commission on International Trade Law on the work of its thirtieth session

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it created the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Reaffirming its conviction that the progressive harmonization and unification of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would contribute significantly to universal economic cooperation among all States on a basis of equality, equity and common interest and to the elimination of discrimination in international trade and thereby to the well-being of all peoples,

Stressing the value of participation by States at all levels of economic development and from different legal systems in the process of harmonizing and unifying international trade law,

Having considered the report of the Commission on the work of its thirtieth session,[18]

Mindful of the valuable contribution to be rendered by the Commission within the framework of the United Nations Decade of International Law, in particular as regards the dissemination of international trade law,

Concerned that activities undertaken by other bodies of the United Nations system in the field of international trade law without coordination with the Commission might lead to undesirable duplication of efforts and would not be in keeping with the aim of promoting efficiency, consistency and coherence in the unification and harmonization of international trade law, as stated in its resolution 37/106 of 16 December 1982,

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[18] Ibid., *Supplement No. 17* (A/52/17).

Stressing the importance of the further development of the Case Law on United Nations Commission on International Trade Law Texts in promoting the uniform application of the legal texts of the Commission and its value for government officials, practitioners and academics,

1. *Takes note with appreciation* of the report of the United Nations Commission on International Trade Law on the work of its thirtieth session;[18]

2. *Notes with satisfaction* the completion and adoption by the Commission of the Model Law on Cross-Border Insolvency;[19]

3. *Commends* the Commission for the progress made in its work on receivables financing, digital signatures and certification authorities, privately financed infrastructure projects and the legislative implementation of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards;[20]

4. *Appeals* to Governments that have not yet done so to reply to the questionnaire circulated by the Secretariat in relation to the legal regime governing the recognition and enforcement of foreign arbitral awards;

5. *Invites* States to nominate persons to work with the private foundation established to encourage assistance to the Commission from the private sector;

6. *Reaffirms* the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to coordinate legal activities in this field and, in this connection:

(*a*) Calls upon all bodies of the United Nations system and invites other international organizations to bear in mind the mandate of the Commission and the need to avoid duplication of effort and to promote efficiency, consistency and coherence in the unification and harmonization of international trade law;

(*b*) Recommends that the Commission, through its secretariat, continue to maintain close cooperation with the other international organs and organizations, including regional organizations, active in the field of international trade law;

7. *Also reaffirms* the importance, in particular for developing countries, of the work of the Commission concerned with training and technical assistance in the field of international trade law, such as assistance in the preparation of national legislation based on legal texts of the Commission;

8. *Expresses the desirability* for increased efforts by the Commission, in sponsoring seminars and symposia, to provide such training and technical assistance, and in this connection:

(*a*) Expresses its appreciation to the Commission for organizing seminars and briefing missions in Barbados, Egypt, the Lao People's Democratic Republic, Malaysia, South Africa, Thailand and Viet Nam;

(*b*) Expresses its appreciation to the Governments whose contributions enabled the seminars and briefing missions to take place, and appeals to Governments, the relevant United Nations organs, organizations, institutions and individuals to make voluntary contributions to the United Nations Commission on International Trade Law Trust Fund for Symposia and, where appropriate, to the financing of special projects, and otherwise to assist the secretariat of the Commission in financing and organizing seminars and symposia, in particular in developing countries, and in the award of fellowships to candidates from developing countries to enable them to participate in such seminars and symposia;

9. *Appeals* to the United Nations Development Programme and other bodies responsible for development assistance, such as the International Bank for Reconstruction and Development and the European Bank for Reconstruction and Development, as well as to Governments in their bilateral aid programmes, to support the training and technical assistance programme of the Commission and to cooperate and coordinate their activities with those of the Commission;

10. *Appeals* to Governments, the relevant United Nations organs, organizations, institutions and individuals, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to make voluntary contributions to the trust fund for travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General;

11. *Decides*, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to continue, in the competent Main Committee during the fifty-second session of the General Assembly, its consideration of granting travel assistance to the least developed countries that are members of the Commission, at their request and in consultation with the Secretary-General;

12. *Requests* the Secretary-General to ensure the effective implementation of the programme of the Commission;

13. *Stresses* the importance of bringing into effect the conventions emanating from the work of the Commission for the global unification and harmonization of international trade law, and to this end urges States that have not yet done so to consider signing, ratifying or acceding to those conventions.

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[19] Ibid., annex I; see also resolution 52/158.

[20] United Nations, *Treaty Series*, vol. 330, No. 4739.

52/158. Model Law on Cross-Border Insolvency of the United Nations Commission on International Trade Law

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it created the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Noting that increased cross-border trade and investment leads to greater incidence of cases where enterprises and individuals have assets in more than one State,

Noting also that when a debtor with assets in more than one State becomes subject to an insolvency proceeding, there often exists an urgent need for cross-border cooperation and coordination in the supervision and administration of the insolvent debtor's assets and affairs,

Considering that inadequate coordination and cooperation in cases of cross-border insolvency reduce the possibility of rescuing financially troubled but viable businesses, impede a fair and efficient administration of cross-border insolvencies, make it more likely that the debtor's assets would be concealed or dissipated and hinder reorganizations or liquidations of debtors' assets and affairs that would be the most advantageous for the creditors and other interested persons, including the debtors and the debtors' employees,

Noting that many States lack a legislative framework that would make possible or facilitate effective cross-border coordination and cooperation,

Convinced that fair and internationally harmonized legislation on cross-border insolvency that respects the national procedural and judicial systems and is acceptable to States with different legal, social and economic systems would contribute to the development of international trade and investment,

Considering that a set of internationally harmonized model legislative provisions on cross-border insolvency is needed to assist States in modernizing their legislation governing cross-border insolvency,

1. *Expresses its appreciation* to the United Nations Commission on International Trade Law for completing and adopting the Model Law on Cross-Border Insolvency contained in the annex to the present resolution;

2. *Requests* the Secretary-General to transmit the text of the Model Law, together with the Guide to Enactment of the Model Law prepared by the Secretariat, to Governments and interested bodies;

3. *Recommends* that all States review their legislation on cross-border aspects of insolvency to determine whether the legislation meets the objectives of a modern and efficient insolvency system and, in that review, give favourable consideration to the Model Law, bearing in mind the need for an internationally harmonized legislation governing instances of cross-border insolvency;

4. *Recommends also* that all efforts be made to ensure that the Model Law, together with the Guide, become generally known and available.

72nd plenary meeting
15 December 1997

ANNEX

Model Law on Cross-Border Insolvency of the United Nations Commission on International Trade Law

PREAMBLE

The purpose of the present Law is to provide effective mechanisms for dealing with cases of cross-border insolvency so as to promote the objectives of:

(*a*) Cooperation between the courts and other competent authorities of this State and foreign States involved in cases of cross-border insolvency;

(*b*) Greater legal certainty for trade and investment;

(*c*) Fair and efficient administration of cross-border insolvencies that protects the interests of all creditors and other interested persons, including the debtor;

(*d*) Protection and maximization of the value of the debtor's assets;

(*e*) Facilitation of the rescue of financially troubled businesses, thereby protecting investment and preserving employment.

CHAPTER I. GENERAL PROVISIONS

Article 1

Scope of application

1. The present Law applies where:

(*a*) Assistance is sought in this State by a foreign court or a foreign representative in connection with a foreign proceeding; or

(*b*) Assistance is sought in a foreign State in connection with a proceeding under [*identify laws of the enacting State relating to insolvency*]; or

(*c*) A foreign proceeding and a proceeding under [*identify laws of the enacting State relating to insolvency*] in respect of the same debtor are taking place concurrently; or

(*d*) Creditors or other interested persons in a foreign State have an interest in requesting the commencement of, or participation in, a proceeding under [*identify laws of the enacting State relating to insolvency*].

2. The present Law does not apply to a proceeding concerning [*designate any types of entities, such as banks or insurance companies, that are subject to a special insolvency regime in this State and that this State wishes to exclude from the present Law*].

Article 2

Definitions

For the purposes of the present Law:

(*a*) "Foreign proceeding" means a collective judicial or administrative proceeding in a foreign State, including an interim proceeding, pursuant to a law relating to insolvency in which proceeding the assets and affairs of the debtor are subject to control or supervision by a foreign court, for the purpose of reorganization or liquidation;

(*b*) "Foreign main proceeding" means a foreign proceeding taking place in the State where the debtor has the centre of its main interests;

(*c*) "Foreign non-main proceeding" means a foreign proceeding, other than a foreign main proceeding, taking place in a State where the debtor has an establishment within the meaning of subparagraph (*f*) of the present article;

(*d*) "Foreign representative" means a person or body, including one appointed on an interim basis, authorized in a foreign proceeding to administer the reorganization or the liquidation of the debtor's assets or affairs or to act as a representative of the foreign proceeding;

(*e*) "Foreign court" means a judicial or other authority competent to control or supervise a foreign proceeding;

(*f*) "Establishment" means any place of operations where the debtor carries out a non-transitory economic activity with human means and goods or services.

Article 3

International obligations of this State

To the extent that the present Law conflicts with an obligation of this State arising out of any treaty or other form of agreement to which it is a party with one or more other States, the requirements of the treaty or agreement prevail.

Article 4

[*Competent court or authority*][21]

The functions referred to in the present Law relating to recognition of foreign proceedings and cooperation with foreign courts shall be performed by [*specify the court, courts, authority or authorities competent to perform those functions in the enacting State*].

Article 5

Authorization of [insert the title of the person or body administering a reorganization or liquidation under the law of the enacting State] *to act in a foreign State*

A [*insert the title of the person or body administering a reorganization or liquidation under the law of the enacting State*] is authorized to act in a foreign State on behalf of a proceeding under [*identify laws of the enacting State relating to insolvency*], as permitted by the applicable foreign law.

Article 6

Public policy exception

Nothing in the present Law prevents the court from refusing to take an action governed by the present Law if the action would be manifestly contrary to the public policy of this State.

Article 7

Additional assistance under other laws

Nothing in the present Law limits the power of a court or a [*insert the title of the person or body administering a reorganization or liquidation under the law of the enacting State*] to provide additional assistance to a foreign representative under other laws of this State.

Article 8

Interpretation

In the interpretation of the present Law, regard is to be had to its international origin and to the need to promote uniformity in its application and the observance of good faith.

CHAPTER II. ACCESS OF FOREIGN REPRESENTATIVES AND CREDITORS TO COURTS IN THIS STATE

Article 9

Right of direct access

A foreign representative is entitled to apply directly to a court in this State.

Article 10

Limited jurisdiction

The sole fact that an application pursuant to the present Law is made to a court in this State by a foreign representative does not subject the foreign representative of the foreign assets and affairs of the debtor to the jurisdiction of the courts of this State for any purpose other than the application.

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[21] A State where certain functions relating to insolvency proceedings have been conferred upon government-appointed officials or bodies might wish to include in article 4 or elsewhere in chapter I the following provision:

> "Nothing in the present Law affects the provisions in force in this State governing the authority of [*insert the title of the government-appointed person or body*]."

Article 11

Application by a foreign representative to commence a proceeding under [identify laws of the enacting State relating to insolvency]

A foreign representative is entitled to apply to commence a proceeding under [*identify laws of the enacting State relating to insolvency*] if the conditions for commencing such a proceeding are otherwise met.

Article 12

Participation of a foreign representative in a proceeding under [identify laws of the enacting State relating to insolvency]

Upon recognition of a foreign proceeding, the foreign representative is entitled to participate in a proceeding regarding the debtor under [*identify laws of the enacting State relating to insolvency*].

Article 13

Access of foreign creditors to a proceeding under [identify laws of the enacting State relating to insolvency]

1. Subject to paragraph 2 of the present article, foreign creditors have the same rights regarding the commencement of, and participation in, a proceeding under [*identify laws of the enacting State relating to insolvency*] as creditors in this State.

2. Paragraph 1 of the present article does not affect the ranking of claims in a proceeding under [*identify laws of the enacting State relating to insolvency*], except that the claims of foreign creditors shall not be ranked lower than [*identify the class of general non-preference claims, while providing that a foreign claim is to be ranked lower than the general non-preference claims if an equivalent local claim (e.g. claim for a penalty or deferred-payment claim) has a rank lower than the general non-preference claims*].[22]

Article 14

Notification to foreign creditors of a proceeding under [identify laws of the enacting State relating to insolvency]

1. Whenever under [*identify laws of the enacting State relating to insolvency*] notification is to be given to creditors in this State, such notification shall also be given to the known creditors that do not have addresses in this State. The court may order that appropriate steps be taken with a view to notifying any creditor whose address is not yet known.

2. Such notification shall be made to the foreign creditors individually, unless the court considers that, under the circumstances, some other form of notification would be more appropriate. No rogatory letters or other similar formality is required.

3. When a notification of commencement of a proceeding is to be given to foreign creditors, the notification shall:

(*a*) Indicate a reasonable time period for filing claims and specify the place for their filing;

(*b*) Indicate whether secured creditors need to file their secured claims;

(*c*) Contain any other information required to be included in such a notification to creditors pursuant to the law of this State and the orders of the court.

CHAPTER III. RECOGNITION OF A FOREIGN PROCEEDING AND RELIEF

Article 15

Application for recognition of a foreign proceeding

1. A foreign representative may apply to the court for recognition of the foreign proceeding in which the foreign representative has been appointed.

2. An application for recognition shall be accompanied by:

(*a*) A certified copy of the decision commencing the foreign proceeding and appointing the foreign representative; or

(*b*) A certificate from the foreign court affirming the existence of the foreign proceeding and of the appointment of the foreign representative; or

(*c*) In the absence of evidence referred to in subparagraphs (*a*) and (*b*), any other evidence acceptable to the court of the existence of the foreign proceeding and of the appointment of the foreign representative.

3. An application for recognition shall also be accompanied by a statement identifying all foreign proceedings in respect of the debtor that are known to the foreign representative.

4. The court may require a translation of documents supplied in support of the application for recognition into an official language of this State.

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[22] The enacting State may wish to consider the following alternative wording to replace paragraph 2 of article 13:

> "2. Paragraph 1 of the present article does not affect the ranking of claims in a proceeding under [*identify laws of the enacting State relating to insolvency*] or the exclusion of foreign tax and social security claims from such a proceeding. Nevertheless, the claims of foreign creditors other than those concerning tax and social security obligations shall not be ranked lower than [*identify the class of general non-preference claims, while providing that a foreign claim is to be ranked lower than the general non-preference claims if an equivalent local claim (e.g. claim for a penalty or deferred-payment claim) has a rank lower than the general non-preference claims*]."

Article 16

Presumptions concerning recognition

1. If the decision or certificate referred to in paragraph 2 of article 15 indicates that the foreign proceeding is a proceeding within the meaning of subparagraph (*a*) of article 2 and that the foreign representative is a person or body within the meaning of subparagraph (*d*) of article 2, the court is entitled to so presume.

2. The court is entitled to presume that documents submitted in support of the application for recognition are authentic, whether or not they have been legalized.

3. In the absence of proof to the contrary, the debtor's registered office, or habitual residence in the case of an individual, is presumed to be the centre of the debtor's main interests.

Article 17

Decision to recognize a foreign proceeding

1. Subject to article 6, a foreign proceeding shall be recognized if:

(*a*) The foreign proceeding is a proceeding within the meaning of subparagraph (*a*) of article 2;

(*b*) The foreign representative applying for recognition is a person or body within the meaning of subparagraph (*d*) of article 2;

(*c*) The application meets the requirements of paragraph 2 of article 15;

(*d*) The application has been submitted to the court referred to in article 4.

2. The foreign proceeding shall be recognized:

(*a*) As a foreign main proceeding if it is taking place in the State where the debtor has the centre of its main interests; or

(*b*) As a foreign non-main proceeding if the debtor has an establishment within the meaning of subparagraph (*f*) of article 2 in the foreign State.

3. An application for recognition of a foreign proceeding shall be decided upon at the earliest possible time.

4. The provisions of articles 15, 16, 17 and 18 do not prevent modification or termination of recognition if it is shown that the grounds for granting it were fully or partially lacking or have ceased to exist.

Article 18

Subsequent information

From the time of filing the application for recognition of the foreign proceeding, the foreign representative shall inform the court promptly of:

(*a*) Any substantial change in the status of the recognized foreign proceeding or the status of the foreign representative's appointment;

(*b*) Any other foreign proceeding regarding the same debtor that becomes known to the foreign representative.

Article 19

Relief that may be granted upon application for recognition of a foreign proceeding

1. From the time of filing an application for recognition until the application is decided upon, the court may, at the request of the foreign representative, where relief is urgently needed to protect the assets of the debtor or the interests of the creditors, grant relief of a provisional nature, including:

(*a*) Staying execution against the debtor's assets;

(*b*) Entrusting the administration or realization of all or part of the debtor's assets located in this State to the foreign representative or another person designated by the court, in order to protect and preserve the value of assets that, by their nature or because of other circumstances, are perishable, susceptible to devaluation or otherwise in jeopardy;

(*c*) Any relief mentioned in paragraph 1 (*c*), (*d*) and (*g*) of article 21 below.

2. [*Insert provisions (or refer to provisions in force in the enacting State) relating to notice.*]

3. Unless extended under paragraph 1 (*f*) of article 21, the relief granted under the present article terminates when the application for recognition is decided upon.

4. The court may refuse to grant relief under the present article if such relief would interfere with the administration of a foreign main proceeding.

Article 20

Effects of recognition of a foreign main proceeding

1. Upon recognition of a foreign proceeding that is a foreign main proceeding:

(*a*) Commencement or continuation of individual actions or individual proceedings concerning the debtor's assets, rights, obligations or liabilities is stayed;

(*b*) Execution against the debtor's assets is stayed;

(*c*) The right to transfer, encumber or otherwise dispose of any assets of the debtor is suspended.

2. The scope, and the modification or termination, of the stay and suspension referred to in paragraph 1 of the present article are subject to [*refer to any provisions of law of the enacting State relating to insolvency that apply to exceptions, limitations, modifications or termination in respect of the stay and suspension referred to in paragraph 1 of the present article*].

3. Paragraph 1 (*a*) of the present article does not affect the right to commence individual actions or proceedings to the extent necessary to preserve a claim against the debtor.

4. Paragraph 1 of the present article does not affect the right to request the commencement of a proceeding under [*identify laws of the enacting State relating to insolvency*] or the right to file claims in such a proceeding.

Article 21

Relief that may be granted upon recognition of a foreign proceeding

1. Upon recognition of a foreign proceeding, whether main or non-main, where necessary to protect the assets of the debtor or the interests of the creditors, the court may, at the request of the foreign representative, grant any appropriate relief, including:

(*a*) Staying the commencement or continuation of individual actions or individual proceedings concerning the debtor's assets, rights, obligations or liabilities, to the extent they have not been stayed under paragraph 1 (*a*) of article 20;

(*b*) Staying execution against the debtor's assets to the extent it has not been stayed under paragraph 1 (*b*) of article 20;

(*c*) Suspending the right to transfer, encumber or otherwise dispose of any assets of the debtor to the extent this right has not been suspended under paragraph 1 (*c*) of article 20;

(*d*) Providing for the examination of witnesses, the taking of evidence or the delivery of information concerning the debtor's assets, affairs, rights, obligations or liabilities;

(*e*) Entrusting the administration or realization of all or part of the debtor's assets located in this State to the foreign representative or another person designated by the court;

(*f*) Extending relief granted under paragraph 1 of article 19;

(*g*) Granting any additional relief that may be available to [*insert the title of a person or body administering a reorganization or liquidation under the law of the enacting State*] under the laws of this State.

2. Upon recognition of a foreign proceeding, whether main or non-main, the court may, at the request of the foreign representative, entrust the distribution of all or part of the debtor's assets located in this State to the foreign representative or another person designated by the court, provided that the court is satisfied that the interests of creditors in this State are adequately protected.

3. In granting relief under the present article to a representative of a foreign non-main proceeding, the court must be satisfied that the relief relates to assets that, under the law of this State, should be administered in the foreign non-main proceeding or concerns information required in that proceeding.

Article 22

Protection of creditors and other interested persons

1. In granting or denying relief under article 19 or 21, or in modifying or terminating relief under paragraph 3 of the present article, the court must be satisfied that the interests of the creditors and other interested persons, including the debtor, are adequately protected.

2. The court may subject relief granted under article 19 or 21 to conditions it considers appropriate.

3. The court may, at the request of the foreign representative or a person affected by relief granted under article 19 or 21, or at its own motion, modify or terminate such relief.

Article 23

Actions to avoid acts detrimental to creditors

1. Upon recognition of a foreign proceeding, the foreign representative has standing to initiate [*refer to the types of actions to avoid or otherwise render ineffective acts detrimental to creditors that are available in this State to a person or body administering a reorganization or liquidation*].

2. When the foreign proceeding is a foreign non-main proceeding, the court must be satisfied that the action relates to assets that, under the law of this State, should be administered in the foreign non-main proceeding.

Article 24

Intervention by a foreign representative in proceedings in this State

Upon recognition of a foreign proceeding, the foreign representative may, provided the requirements of the law of this State are met, intervene in any proceedings in which the debtor is a party.

CHAPTER IV. COOPERATION WITH FOREIGN COURTS AND FOREIGN REPRESENTATIVES

Article 25

Cooperation and direct communication between a court of this State and foreign courts or foreign representatives

1. In matters referred to in article 1, the court shall cooperate to the maximum extent possible with foreign courts or foreign representatives, either directly or through a [*insert the title of a person or body administering a reorganization or liquidation under the law of the enacting State*].

2. The court is entitled to communicate directly with, or to request information or assistance directly from, foreign courts or foreign representatives.

Article 26

Cooperation and direct communication between the [insert the title of a person or body administering a reorganization or liquidation under the law of the enacting State] *and foreign courts or foreign representatives*

1. In matters referred to in article 1, a [*insert the title of a person or body administering a reorganization or liquidation under the law of the enacting State*] shall, in the exercise of its functions and subject to the supervision of the court, cooperate to the maximum extent possible with foreign courts or foreign representatives.

2. The [*insert the title of a person or body administering a reorganization or liquidation under the law of the enacting State*] is entitled, in the exercise of its functions and subject to the supervision of the court, to communicate directly with foreign courts or foreign representatives.

Article 27

Forms of cooperation

Cooperation referred to in articles 25 and 26 may be implemented by any appropriate means, including:

(*a*) Appointment of a person or body to act at the direction of the court;

(*b*) Communication of information by any means considered appropriate by the court;

(*c*) Coordination of the administration and supervision of the debtor's assets and affairs;

(*d*) Approval or implementation by courts of agreements concerning the coordination of proceedings;

(*e*) Coordination of concurrent proceedings regarding the same debtor;

(*f*) [*The enacting State may wish to list additional forms or examples of cooperation*].

CHAPTER V. CONCURRENT PROCEEDINGS

Article 28

Commencement of a proceeding under [identify laws of the enacting State relating to insolvency] *after recognition of a foreign main proceeding*

After recognition of a foreign main proceeding, a proceeding under [*identify laws of the enacting State relating to insolvency*] may be commenced only if the debtor has assets in this State; the effects of that proceeding shall be restricted to the assets of the debtor that are located in this State and, to the extent necessary to implement cooperation and coordination under articles 25, 26 and 27, to other assets of the debtor that, under the law of this State, should be administered in that proceeding.

Article 29

Coordination of a proceeding under [identify laws of the enacting State relating to insolvency] *and a foreign proceeding*

Where a foreign proceeding and a proceeding under [*identify laws of the enacting State relating to insolvency*] are taking place concurrently regarding the same debtor, the court shall seek cooperation and coordination under articles 25, 26 and 27, and the following shall apply:

(*a*) When the proceeding in this State is taking place at the time the application for recognition of the foreign proceeding is filed,

(i) Any relief granted under article 19 or 21 must be consistent with the proceeding in this State;

(ii) If the foreign proceeding is recognized in this State as a foreign main proceeding, article 20 does not apply;

(*b*) When the proceeding in this State commences after recognition, or after the filing of the application for recognition, of the foreign proceeding,

(i) Any relief in effect under article 19 or 21 shall be reviewed by the court and shall be modified or terminated if inconsistent with the proceeding in this State;

(ii) If the foreign proceeding is a foreign main proceeding, the stay and suspension referred to in paragraph 1 of article 20 shall be modified or terminated pursuant to paragraph 2 of article 20 if inconsistent with the proceeding in this State;

(*c*) In granting, extending or modifying relief granted to a representative of a foreign non-main proceeding, the court must be satisfied that the relief relates to assets that, under the law of this State, should be administered in the foreign non-main proceeding or concerns information required in that proceeding.

Article 30

Coordination of more than one foreign proceeding

In matters referred to in article 1, in respect of more than one foreign proceeding regarding the same debtor, the court shall seek cooperation and coordination under articles 25, 26 and 27, and the following shall apply:

(*a*) Any relief granted under article 19 or 21 to a representative of a foreign non-main proceeding after recognition of a foreign main proceeding must be consistent with the foreign main proceeding;

(*b*) If a foreign main proceeding is recognized after recognition, or after the filing of an application for recognition, of a foreign non-main proceeding, any relief in effect under article 19 or 21 shall be reviewed by the court and shall be modified or terminated if inconsistent with the foreign main proceeding;

(*c*) If, after recognition of a foreign non-main proceeding, another foreign non-main proceeding is recognized, the court shall grant, modify or terminate relief for the purpose of facilitating coordination of the proceedings.

Article 31

Presumption of insolvency based on recognition of a foreign main proceeding

In the absence of evidence to the contrary, recognition of a foreign main proceeding is, for the purpose of commencing a proceeding under [*identify laws of the enacting State relating to insolvency*], proof that the debtor is insolvent.

Article 32

Rule of payment in concurrent proceedings

Without prejudice to secured claims or rights *in rem*, a creditor who has received part payment in respect of its claim in a proceeding pursuant to a law relating to insolvency in a foreign State may not receive a payment for the same claim in a proceeding under [*identify laws of the enacting State relating to insolvency*] regarding the same debtor, so long as the payment to the other creditors of the same class is proportionately less than the payment the creditor has already received.

52/159. Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,[23]

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations,[24] and the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,[25] and the responsibilities of the host country,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

Noting the spirit of cooperation and mutual understanding that has guided the deliberations of the Committee on issues affecting the United Nations community and the host country,

Taking into account the increase in the profound interest and concern of many Member States as regards the work of the Committee,

Considering that meetings of the Committee and of the working group on the use of diplomatic motor vehicles were devoted to the consideration of the topic "Transportation: use of motor vehicles, parking and related matters",

1. *Endorses* the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 118 of its report;[23]

2. *Considers* that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations is in the interests of the United Nations and all Member States, and requests the host country to continue to take all measures necessary to prevent any interference with the functioning of missions, and to promote compliance of local authorities with international norms concerning diplomatic privileges and immunities;

3. *Expresses its appreciation* for the efforts made by the host country, and hopes that the concerns raised at the meetings of the Committee will continue to be resolved in a spirit of cooperation and in accordance with international law;

4. *Welcomes* the efforts of the Committee aimed at identifying affordable health care programmes for the diplomatic community;

5. *Notes* that during the reporting period the travel controls previously imposed by the host country on staff of certain missions and staff members of the Secretariat of certain nationalities remained in effect, again urges the host country to consider lifting such travel controls, and in this regard notes the positions of the affected States, of the Secretary-General and of the host country;

6. *Calls upon* the host country to review measures and procedures relating to the parking of diplomatic vehicles, with a view to responding to the growing needs of the diplomatic community, and to consult with the Committee on these issues, and requests the host country to take steps in conjunction with the competent authorities to resolve the problem of the parking of diplomatic vehicles, in order to maintain appropriate conditions for the functioning of the delegations and missions accredited to the United Nations in a manner that is fair, non-discriminatory, efficient and consistent with international law, with due regard to diplomatic privileges and immunities and to the proposals made in the Committee and its working group on the use of diplomatic motor vehicles;

7. *Requests* the Committee to review its membership and composition, with the participation of observers, to consider proposals regarding its membership and composition, and to report on the results of its deliberations to the Sixth Committee of the General Assembly at its fifty-third session;

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[23] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 26* (A/52/26).

[24] Resolution 22 A (I).

[25] See resolution 169 (II).

8. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

9. *Requests* the Committee to continue its work, in conformity with General Assembly resolution 2819 (XXVI) of 15 December 1971;

10. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Report of the Committee on Relations with the Host Country".

72nd plenary meeting
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52/160. Establishment of an international criminal court

The General Assembly,

Recalling its resolutions 47/33 of 25 November 1992, 48/31 of 9 December 1993, 49/53 of 9 December 1994 and 50/46 of 11 December 1995,

Considering that, in its resolution 51/207 of 17 December 1996, it decided to reaffirm the mandate of the Preparatory Committee on the Establishment of an International Criminal Court and decided also that the Preparatory Committee should meet from 11 to 21 February, 4 to 15 August and 1 to 12 December 1997, and from 16 March to 3 April 1998, in order to complete the drafting of a widely acceptable consolidated text of a convention, to be submitted to a diplomatic conference of plenipotentiaries,

Recalling that, in its resolution 51/207, it further decided that a diplomatic conference of plenipotentiaries should be held in 1998, with a view to finalizing and adopting a convention on the establishment of an international criminal court,

Recognizing the importance of concluding the work of the conference through the promotion of general agreement on matters of substance,

Noting that, at its fifty-first meeting, on 21 February 1997, the Preparatory Committee welcomed the offer by the Government of Italy to hold the conference at Rome and recommended to the General Assembly that, pursuant to Assembly resolution 51/207 and after consideration by the Committee on Conferences, a decision in accordance with the offer should be made when dealing with the necessary arrangements for the conference, on the understanding that the organization of the conference at Rome would proceed on the basis of the usual practice concerning the funding of such events taking place away from United Nations Headquarters or other United Nations offices,[26]

Taking note of the report of the Committee on Conferences,[27] in which the Committee recommended to the General Assembly that it should adopt the draft biennial calendar of conferences and meetings for 1998-1999 contained in the report,

Welcoming the steps taken, and the suggestions made, by the Government of Italy following its offer to host the conference in June 1998, including the proposal to hold the conference during the period from 15 June to 17 July 1998 at the headquarters of the Food and Agriculture Organization of the United Nations at Rome,

1. *Accepts with deep appreciation* the generous offer of the Government of Italy to act as host to the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court;

2. *Requests* the Preparatory Committee on the Establishment of an International Criminal Court to continue its work in accordance with General Assembly resolution 51/207 and, at the end of its sessions, to transmit to the Conference the text of a draft convention on the establishment of an international criminal court prepared in accordance with its mandate;

3. *Decides* that the Conference, open to all States Members of the United Nations or members of specialized agencies or of the International Atomic Energy Agency, shall be held at Rome from 15 June to 17 July 1998, with a view to finalizing and adopting a convention on the establishment of an international criminal court, and requests the Secretary-General to invite those States to the Conference;

4. *Requests* the Secretary-General to prepare the text of the draft rules of procedure of the Conference, to be submitted to the Preparatory Committee for its consideration and for recommendations to the Conference, with a view to the adoption of such rules by the Conference in accordance with the rules of procedure of the General Assembly, and to provide for consultations on the organization and methods of work of the Conference, including rules of procedure, prior to the convening of the last session of the Preparatory Committee;

5. *Urges* participation in the Conference by the largest number of States so as to promote universal support for an international criminal court;

6. *Notes with appreciation* the establishment by the Secretary-General, pursuant to resolution 51/207, of a trust fund for the participation of the least developed countries in the work of the Preparatory Committee and in the Conference, welcomes the decision by a number of States to make contributions to the trust fund, and encourages States to contribute voluntarily to it;

7. *Requests* the Secretary-General to establish a trust fund for voluntary contributions towards meeting the cost of participation in the work of the Preparatory Committee and the Conference of those developing countries not covered by the trust fund referred to in paragraph 6 above, and invites States to contribute voluntarily to this trust fund;

8. *Also requests* the Secretary-General to invite to the Conference representatives of organizations and other entities that have received a standing invitation from the General

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[26] See A/AC.249/1997/L.5, annex III.

[27] A/52/32 and Add.1-3. For the final text, see *Official Records of the General Assembly, Fifty-second Session, Supplement No. 32*.

Assembly pursuant to its relevant resolutions[28] to participate, in the capacity of observers, in its sessions and work, on the understanding that such representatives would participate in the Conference in that capacity, and to invite, as observers to the Conference, representatives of interested regional intergovernmental organizations and other interested international bodies, including the international tribunals for the former Yugoslavia and for Rwanda;

9. *Further requests* the Secretary-General to invite non-governmental organizations, accredited by the Preparatory Committee with due regard to the provisions of part VII of Economic and Social Council resolution 1996/31 of 25 July 1996, and in particular to the relevance of their activities to the work of the Conference, to participate in the Conference, along the lines followed in the Preparatory Committee, on the understanding that participation means attending meetings of its plenary and, unless otherwise decided by the Conference in specific situations, formal meetings of its subsidiary bodies except the drafting group, receiving copies of the official documents, making available their materials to delegates and addressing, through a limited number of their representatives, its opening and/or closing sessions, as appropriate, in accordance with the rules of procedure to be adopted by the Conference;

10. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Establishment of an international criminal court".

72nd plenary meeting
15 December 1997

52/161. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its relevant resolutions adopted at subsequent sessions,

Recalling also its resolution 47/233 of 17 August 1993 on the revitalization of the work of the General Assembly,

Recalling further its resolution 47/62 of 11 December 1992 on the question of equitable representation on and increase in the membership of the Security Council,

Taking note of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council,[29]

Recalling the elements relevant to the work of the Special Committee contained in its resolution 47/120 B of 20 September 1993,

Recalling also its resolution 51/241 of 31 July 1997 on the strengthening of the United Nations system and and its resolution 51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", by which it adopted the texts on coordination and the question of sanctions imposed by the United Nations, which are annexed to that resolution,

Recalling further that the International Court of Justice is the principal judicial organ of the United Nations, and reaffirming its authority and independence,

Noting with satisfaction the increase in the volume of cases before the Court,

Considering the desirability of finding practical ways and means of strengthening the Court,

Taking note of the report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*,[30]

Recalling its resolution 51/209 of 17 December 1996,

Having considered the report of the Special Committee on the work of its session held in 1997,[31]

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;[31]

2. *Decides* that the Special Committee will hold its next session from 26 January to 6 February 1998;

3. *Requests* the Special Committee, at its session in 1998, in accordance with paragraph 5 of General Assembly resolution 50/52 of 11 December 1995:

(*a*) To continue its consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations and, in this context, to consider other proposals relating to the maintenance of international peace and security already submitted or which may be submitted to the Special Committee at its session in 1998, including the revised proposal on the strengthening of the role of the United Nations in the maintenance of international peace and security,[32] the revised working paper on the strengthening of the role of the Organization and enhancing its effectiveness,[33] the revised working paper entitled "Some ideas on the basic conditions and criteria for imposing and implementing sanctions and other enforcement measures"[34] and the working paper on the draft declaration on the basic principles and criteria for the work of the United Nations peacekeeping missions and mechanisms for the prevention and settlement of crises and conflicts;[35]

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[28] Resolutions 253 (III), 477 (V), 2011 (XX), 3208 (XXIX), 3237 (XXIX), 3369 (XXX), 31/3, 33/18, 35/2, 35/3, 36/4, 42/10, 43/6, 44/6, 45/6, 46/8, 47/4, 48/2, 48/3, 48/4, 48/5, 48/237, 48/265, 49/1, 49/2, 50/2, 51/1, 51/6, 51/204 and 52/6.

[29] *Official Records of the General Assembly, Fifty-first Session, Supplement No. 47* and corrigendum (A/51/47 and Corr.1).

[30] A/52/317 and Corr.1.

[31] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 33* and corrigendum (A/52/33 and Corr. 1).

[32] Ibid., *Fifty-first Session, Supplement No. 33* (A/51/33), para. 56.

(*b*) To continue to consider on a priority basis the question of the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter, taking into consideration the reports of the Secretary-General,[36] the proposals submitted on this subject, the debate on this question in the Sixth Committee during the fifty-second session of the General Assembly and the text on the question of sanctions imposed by the United Nations contained in annex II to General Assembly resolution 51/242, and also the implementation of the provisions of General Assembly resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996 and 52/152 of 15 December 1997;

(*c*) To continue its work on the question of the peaceful settlement of disputes between States and, in this context, to continue its consideration of proposals relating to the peaceful settlement of disputes between States, including the proposal on the establishment of a dispute settlement service offering or responding with its services early in disputes and those proposals relating to the enhancement of the role of the International Court of Justice;

(*d*) To continue to consider proposals concerning the Trusteeship Council in the light of the report of the Secretary-General submitted in accordance with resolution 50/55,[37] the report of the Secretary-General entitled "Renewing the United Nations: a programme for reform"[38] and the views expressed by States on this subject during the fifty-second session of the General Assembly;

4. *Invites* Member States, the States parties to the Statute of the International Court of Justice, and the International Court of Justice if it so desires, to present, before the fifty-third session of the General Assembly, their comments and observations on the consequences that the increase in the volume of cases before the Court has on its operation, on the understanding that whatever action may be taken as a result of this invitation will have no implications for any changes in the Charter of the United Nations or the Statute of the International Court of Justice;

5. *Requests* the Secretary-General, taking into account the views expressed and the practical suggestions made during the debate held within the framework of the Sixth Committee, to make every effort to implement in a timely manner the steps proposed in paragraph 59 of his report[30] regarding the preparation and publication of the supplements to the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* with a view to updating them and to submit a progress report on the matter to the General Assembly at its fifty-third session;

6. *Invites* the Special Committee at its session in 1998 to continue to identify new subjects for consideration in its future work with a view to contributing to the revitalization of the work of the United Nations, to discuss how to offer its assistance to the working groups of the General Assembly in this field and, in this regard, to consider ways and means of improving coordination between the Special Committee and other working groups dealing with the reform of the Organization, including the role of the Chairperson of the Special Committee for this purpose;

7. *Requests* the Special Committee to submit a report on its work to the General Assembly at the fifty-third session;

8. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

72nd plenary meeting
15 December 1997

52/162. Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions

The General Assembly,

Concerned about the special economic problems confronting certain States arising from the carrying out of preventive or enforcement measures taken by the Security Council against other States, and taking into account the obligation of Members of the United Nations under Article 49 of the Charter of the United Nations to join in affording mutual assistance in carrying out the measures decided upon by the Security Council,

Recalling the right of third States confronted with special economic problems of that nature to consult the Security Council with regard to a solution of those problems, in accordance with Article 50 of the Charter,

Recognizing the desirability of the consideration of further appropriate procedures for consultations to deal in a more effective manner with the problems referred to in Article 50 of the Charter,

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[33] Ibid., *Fifty-second Session, Supplement No. 33* and corrigendum (A/52/33 and Corr. 1), para. 59.

[34] Ibid., para. 29.

[35] Ibid., *Fifty-first Session, Supplement No. 33* (A/51/33), para. 128.

[36] A/48/573-S/26705 (see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*), A/49/356, A/50/60-S/1995/1 (see *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*), A/50/423, A/50/361, A/51/317 and A/52/308.

[37] A/50/1011.

[38] A/51/950 and Add.1-7.

Recalling:

(*a*) The report of the Secretary-General entitled "An Agenda for Peace",[39] in particular paragraph 41 thereof,

(*b*) Its resolution 47/120 A of 18 December 1992, entitled "An Agenda for Peace: preventive diplomacy and related matters", its resolution 47/120 B of 20 September 1993, entitled "An Agenda for Peace", in particular section IV thereof entitled "Special economic problems arising from the implementation of preventive or enforcement measures", and its resolution 51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", in particular annex II thereof entitled "Question of sanctions imposed by the United Nations",

(*c*) The position paper of the Secretary-General entitled "Supplement to an Agenda for Peace",[40]

(*d*) The statement by the President of the Security Council of 22 February 1995,[41]

(*e*) The report of the Secretary-General[42] prepared pursuant to the statement by the President of the Security Council[43] regarding the question of special economic problems of States as a result of sanctions imposed under Chapter VII of the Charter,

(*f*) The reports of the Secretary-General on economic assistance to States affected by the implementation of the Security Council resolutions imposing sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro)[44] and General Assembly resolutions 48/210 of 21 December 1993, 49/21 A of 2 December 1994, 50/58 E of 12 December 1995 and 51/30 A of 5 December 1996,

(*g*) The 1994, 1995, 1996 and 1997 reports of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization,[45]

(*h*) The reports of the Secretary-General on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter,[46]

Taking note of the most recent report of the Secretary-General, submitted in accordance with General Assembly resolution 51/208 of 17 December 1996,[47]

Recalling that the question of assistance to third States affected by the application of sanctions has been addressed recently in several forums, including the General Assembly and its subsidiary organs and the Security Council,

Recalling also the measures taken by the Security Council in accordance with the statement by the President of the Security Council of 16 December 1994[48] that, as part of the Council's effort to improve the flow of information and the exchange of ideas between members of the Council and other States Members of the United Nations, there should be increased recourse to open meetings, in particular at an early stage in its consideration of a subject,

Stressing that, in the formulation of sanctions regimes, due account should be taken of the potential effects of sanctions on third States,

Stressing also, in this context, the powers of the Security Council under Chapter VII of the Charter and the Council's primary responsibility under Article 24 of the Charter for the maintenance of international peace and security in order to ensure prompt and effective action by the United Nations,

Recalling that, under Article 31 of the Charter, any Member of the United Nations that is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Council whenever the latter considers that the interests of that Member are specially affected,

Recognizing that the imposition of sanctions under Chapter VII has been causing special economic problems in third States and that it is necessary to intensify efforts to address those problems,

Recognizing also that assistance to third States affected by the application of sanctions would further contribute to an effective and comprehensive approach by the international community to sanctions imposed by the Security Council,

Recognizing further that the international community at large and, in particular, international institutions involved in providing economic and financial assistance should continue to take into account and address in a more effective manner the special economic problems of affected third States arising from the carrying out of preventive or enforcement measures taken by the Security Council under Chapter VII of the

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[39] A/47/277-S/24111; see *Official Records of the Security Council, Forty-seventh Year, Supplement for April, May and June 1992*, document S/24111.

[40] A/50/60-S/1995/1; see *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/1.

[41] S/PRST/1995/9; see *Resolutions and Decisions of the Security Council, 1995*.

[42] A/48/573-S/26705; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26705.

[43] S/25036; see *Resolutions and Decisions of the Security Council, 1992*.

[44] A/49/356, A/50/423 and A/51/356.

[45] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 33* (A/49/33); ibid., *Fiftieth Session, Supplement No. 33* (A/50/33); ibid., *Fifty-first Session, Supplement No. 33* (A/51/33); and ibid., *Fifty-second Session, Supplement No.33* and corrigendum (A/52/33 and Corr.1).

[46] A/50/361 and A/51/317.

[47] A/52/308.

[48] S/PRST/1994/81; see *Resolutions and Decisions of the Security Council, 1994*.

Charter, in view of their magnitude and of the adverse impact on the economy of those States,

Recalling the provisions of resolutions 50/51 of 11 December 1995 and 51/208 of 17 December 1996,

1. *Renews its invitation* to the Security Council to consider the establishment of further mechanisms or procedures, as appropriate, for consultations as early as possible under Article 50 of the Charter of the United Nations with third States which are or may be confronted with special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Council under Chapter VII of the Charter, with regard to a solution of those problems, including appropriate ways and means for increasing the effectiveness of its methods and procedures applied in the consideration of requests by the affected States for assistance;

2. *Welcomes once again* the further measures taken by the Security Council since the adoption of General Assembly resolution 50/51 and aimed at increasing the effectiveness and transparency of the sanctions committees, invites the Council to implement those measures, and strongly recommends that the Council continue its efforts further to enhance the functioning of those committees, to streamline their working procedures and to facilitate access to them by representatives of States that find themselves confronted with special economic problems arising from the carrying out of sanctions;

3. *Requests* the Secretary-General to pursue implementation of the provisions of General Assembly resolution 50/51 related to the possible guidelines that might be adopted on technical procedures to be used by the appropriate parts of the Secretariat, and paragraphs 4 to 6 of resolution 51/208, and to continue, on a regular basis, to collate and coordinate information about international assistance available to third States affected by the implementation of sanctions, to continue developing a possible methodology for assessing the adverse consequences actually incurred by third States and to initiate action in order to explore innovative and practical measures of assistance to the affected third States;

4. *Endorses* the proposal of the Secretary-General that an ad hoc expert group meeting be convened in the first half of 1998 with a view to developing a possible methodology for assessing the consequences actually incurred by third States as a result of preventive or enforcement measures, in this connection requests that due regard be given by the expert group to the particular problems and needs of developing countries confronted by the special economic problems arising from carrying out enforcement measures, also endorses the recommendation of the Secretary-General that the expert group explore innovative and practical measures of assistance that could be provided by the relevant organizations both within and outside the United Nations system to the affected third States, and requests the Secretary-General to submit a report on the results of the expert group meeting to the General Assembly at its fifty-third session;

5. *Reaffirms* the important role of the General Assembly, the Economic and Social Council and the Committee for Programme and Coordination in mobilizing and monitoring, as appropriate, the economic assistance efforts by the international community and the United Nations system to States confronted with special economic problems arising from the carrying out of preventive or enforcement measures imposed by the Security Council and, as appropriate, in identifying solutions to the special economic problems of those States;

6. *Invites* the organizations of the United Nations system, international financial institutions, other international organizations, regional organizations and Member States to address more specifically and directly, where appropriate, special economic problems of third States affected by sanctions imposed under Chapter VII of the Charter and, for this purpose, to consider improving procedures for consultations to maintain a constructive dialogue with such States, including through regular and frequent meetings as well as, where appropriate, special meetings between the affected third States and the donor community, with the participation of United Nations agencies and other international organizations;

7. *Requests* the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, at its session in 1998, to continue to consider on a priority basis the question of the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter, taking into consideration all the related reports of the Secretary-General, the proposals submitted on this subject, the debate on this question in the Sixth Committee during the fifty-second session of the General Assembly and the text on the question of sanctions imposed by the United Nations contained in annex II to General Assembly resolution 51/242, as well as the implementation of the provisions of General Assembly resolutions 50/51 and 51/208 and the present resolution;

8. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-third session.

72nd plenary meeting
15 December 1997

52/163. Amendment to rule 103 of the rules of procedure of the General Assembly

The General Assembly,

Recalling its resolution 2837 (XXVI) of 17 December 1971, in particular paragraph 42 of annex II thereto, entitled "Conclusions of the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly", which has been reproduced as annex V to the rules of procedure of the General Assembly,

Taking into account the increasing workload of the Main Committees of the General Assembly, *Considering* that all regional groups should be represented in the Bureau of each of the Main Committees,

1. *Decides* to amend the first sentence of rule 103 of the rules of procedure of the General Assembly to read: "Each Main Committee shall elect a Chairman, three Vice-Chairmen and a Rapporteur";

2. *Also decides* that this amendment shall take effect as from the fifty-third session of the General Assembly.

72nd plenary meeting
15 December 1997

52/164. International Convention for the Suppression of Terrorist Bombings

The General Assembly,

Recalling its resolution 49/60 of 9 December 1994, by which it adopted the Declaration on Measures to Eliminate International Terrorism, and its resolution 51/210 of 17 December 1996,

Having considered the text of the draft convention for the suppression of terrorist bombings prepared by the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996[49] and the Working Group of the Sixth Committee,[50]

1. *Adopts* the International Convention for the Suppression of Terrorist Bombings annexed to the present resolution, and decides to open it for signature at United Nations Headquarters in New York from 12 January 1998 until 31 December 1999;

2. *Urges* all States to sign and ratify, accept or approve or accede to the Convention.

72nd plenary meeting
15 December 1997

ANNEX

International Convention for the Suppression of Terrorist Bombings

The States Parties to this Convention,

Having in mind the purposes and principles of the Charter of the United Nations concerning the maintenance of international peace and security and the promotion of good-neighbourliness and friendly relations and cooperation among States,

Deeply concerned about the worldwide escalation of acts of terrorism in all its forms and manifestations,

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations of 24 October 1995,[51]

Recalling also the Declaration on Measures to Eliminate International Terrorism, annexed to General Assembly resolution 49/60 of 9 December 1994, in which, *inter alia*, "the States Members of the United Nations solemnly reaffirm their unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomever committed, including those which jeopardize the friendly relations among States and peoples and threaten the territorial integrity and security of States",

Noting that the Declaration also encouraged States "to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there is a comprehensive legal framework covering all aspects of the matter",

Recalling General Assembly resolution 51/210 of 17 December 1996 and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism annexed thereto,

Noting that terrorist attacks by means of explosives or other lethal devices have become increasingly widespread,

Noting also that existing multilateral legal provisions do not adequately address these attacks,

Being convinced of the urgent need to enhance international cooperation between States in devising and adopting effective and practical measures for the prevention of such acts of terrorism and for the prosecution and punishment of their perpetrators,

Considering that the occurrence of such acts is a matter of grave concern to the international community as a whole,

Noting that the activities of military forces of States are governed by rules of international law outside the framework of this Convention and that the exclusion of certain actions from the coverage of this Convention does not condone or make lawful otherwise unlawful acts, or preclude prosecution under other laws,

Have agreed as follows:

Article 1

For the purposes of this Convention:

1. "State or government facility" includes any permanent or temporary facility or conveyance that is used or occupied by representatives of a State, members of Government, the legislature or the judiciary or by officials or employees of a State or any other public authority or entity or by employees or officials of an intergovernmental organization in connection with their official duties.

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[49] See *Official Records of the General Assembly, Fifty-second Session, Supplement No. 37* (A/52/37).

[50] See A/C.6/52/L.3, annex I.

[51] See resolution 50/6.

2. "Infrastructure facility" means any publicly or privately owned facility providing or distributing services for the benefit of the public, such as water, sewage, energy, fuel or communications.

3. "Explosive or other lethal device" means:

(*a*) An explosive or incendiary weapon or device that is designed, or has the capability, to cause death, serious bodily injury or substantial material damage; or

(*b*) A weapon or device that is designed, or has the capability, to cause death, serious bodily injury or substantial material damage through the release, dissemination or impact of toxic chemicals, biological agents or toxins or similar substances or radiation or radioactive material.

4. "Military forces of a State" means the armed forces of a State which are organized, trained and equipped under its internal law for the primary purpose of national defence or security and persons acting in support of those armed forces who are under their formal command, control and responsibility.

5. "Place of public use" means those parts of any building, land, street, waterway or other location that are accessible or open to members of the public, whether continuously, periodically or occasionally, and encompasses any commercial, business, cultural, historical, educational, religious, governmental, entertainment, recreational or similar place that is so accessible or open to the public.

6. "Public transportation system" means all facilities, conveyances and instrumentalities, whether publicly or privately owned, that are used in or for publicly available services for the transportation of persons or cargo.

Article 2

1. Any person commits an offence within the meaning of this Convention if that person unlawfully and intentionally delivers, places, discharges or detonates an explosive or other lethal device in, into or against a place of public use, a State or government facility, a public transportation system or an infrastructure facility:

(*a*) With the intent to cause death or serious bodily injury; or

(*b*) With the intent to cause extensive destruction of such a place, facility or system, where such destruction results in or is likely to result in major economic loss.

2. Any person also commits an offence if that person attempts to commit an offence as set forth in paragraph 1 of the present article.

3. Any person also commits an offence if that person:

(*a*) Participates as an accomplice in an offence as set forth in paragraph 1 or 2 of the present article; or

(*b*) Organizes or directs others to commit an offence as set forth in paragraph 1 or 2 of the present article; or

(*c*) In any other way contributes to the commission of one or more offences as set forth in paragraph 1 or 2 of the present article by a group of persons acting with a common purpose; such contribution shall be intentional and either be made with the aim of furthering the general criminal activity or purpose of the group or be made in the knowledge of the intention of the group to commit the offence or offences concerned.

Article 3

This Convention shall not apply where the offence is committed within a single State, the alleged offender and the victims are nationals of that State, the alleged offender is found in the territory of that State and no other State has a basis under article 6, paragraph 1 or paragraph 2, of this Convention to exercise jurisdiction, except that the provisions of articles 10 to 15 shall, as appropriate, apply in those cases.

Article 4

Each State Party shall adopt such measures as may be necessary:

(*a*) To establish as criminal offences under its domestic law the offences set forth in article 2 of this Convention;

(*b*) To make those offences punishable by appropriate penalties which take into account the grave nature of those offences.

Article 5

Each State Party shall adopt such measures as may be necessary, including, where appropriate, domestic legislation, to ensure that criminal acts within the scope of this Convention, in particular where they are intended or calculated to provoke a state of terror in the general public or in a group of persons or particular persons, are under no circumstances justifiable by considerations of a political, philosophical, ideological, racial, ethnic, religious or other similar nature and are punished by penalties consistent with their grave nature.

Article 6

1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 2 when:

(*a*) The offence is committed in the territory of that State; or

(*b*) The offence is committed on board a vessel flying the flag of that State or an aircraft which is registered under the laws of that State at the time the offence is committed; or

(*c*) The offence is committed by a national of that State.

2. A State Party may also establish its jurisdiction over any such offence when:

(*a*) The offence is committed against a national of that State; or (*b*) The offence is committed against a State or government facility of that State abroad, including an embassy or other diplomatic or consular premises of that State; or

(*c*) The offence is committed by a stateless person who has his or her habitual residence in the territory of that State; or

(*d*) The offence is committed in an attempt to compel that State to do or abstain from doing any act; or

(*e*) The offence is committed on board an aircraft which is operated by the Government of that State.

3. Upon ratifying, accepting, approving or acceding to this Convention, each State Party shall notify the Secretary-General of the United Nations of the jurisdiction it has established under its domestic law in accordance with paragraph 2 of the present article. Should any change take place, the State Party concerned shall immediately notify the Secretary-General.

4. Each State Party shall likewise take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 2 in cases where the alleged offender is present in its territory and it does not extradite that person to any of the States Parties which have established their jurisdiction in accordance with paragraph 1 or 2 of the present article.

5. This Convention does not exclude the exercise of any criminal jurisdiction established by a State Party in accordance with its domestic law.

Article 7

1. Upon receiving information that a person who has committed or who is alleged to have committed an offence as set forth in article 2 may be present in its territory, the State Party concerned shall take such measures as may be necessary under its domestic law to investigate the facts contained in the information.

2. Upon being satisfied that the circumstances so warrant, the State Party in whose territory the offender or alleged offender is present shall take the appropriate measures under its domestic law so as to ensure that person's presence for the purpose of prosecution or extradition.

3. Any person regarding whom the measures referred to in paragraph 2 of the present article are being taken shall be entitled to:

(*a*) Communicate without delay with the nearest appropriate representative of the State of which that person is a national or which is otherwise entitled to protect that person's rights or, if that person is a stateless person, the State in the territory of which that person habitually resides;

(*b*) Be visited by a representative of that State;

(*c*) Be informed of that person's rights under subparagraphs (*a*) and (*b*).

4. The rights referred to in paragraph 3 of the present article shall be exercised in conformity with the laws and regulations of the State in the territory of which the offender or alleged offender is present, subject to the provision that the said laws and regulations must enable full effect to be given to the purposes for which the rights accorded under paragraph 3 are intended.

5. The provisions of paragraphs 3 and 4 of the present article shall be without prejudice to the right of any State Party having a claim to jurisdiction in accordance with article 6, subparagraph 1 (*c*) or 2 (*c*), to invite the International Committee of the Red Cross to communicate with and visit the alleged offender.

6. When a State Party, pursuant to the present article, has taken a person into custody, it shall immediately notify, directly or through the Secretary-General of the United Nations, the States Parties which have established jurisdiction in accordance with article 6, paragraphs 1 and 2, and, if it considers it advisable, any other interested States Parties, of the fact that that person is in custody and of the circumstances which warrant that person's detention. The State which makes the investigation contemplated in paragraph 1 of the present article shall promptly inform the said States Parties of its findings and shall indicate whether it intends to exercise jurisdiction.

Article 8

1. The State Party in the territory of which the alleged offender is present shall, in cases to which article 6 applies, if it does not extradite that person, be obliged, without exception whatsoever and whether or not the offence was committed in its territory, to submit the case without undue delay to its competent authorities for the purpose of prosecution, through proceedings in accordance with the laws of that State. Those authorities shall take their decision in the same manner as in the case of any other offence of a grave nature under the law of that State.

2. Whenever a State Party is permitted under its domestic law to extradite or otherwise surrender one of its nationals only upon the condition that the person will be returned to that State to serve the sentence imposed as a result of the trial or proceeding for which the extradition or surrender of the person was sought, and this State and the State seeking the extradition of the person agree with this option and other terms they may deem appropriate, such a conditional extradition or surrender shall be sufficient to discharge the obligation set forth in paragraph 1 of the present article.

Article 9

1. The offences set forth in article 2 shall be deemed to be included as extraditable offences in any extradition treaty existing between any of the States Parties before the entry into force of this Convention. States Parties undertake to include such offences as extraditable offences in every extradition treaty to be subsequently concluded between them.

2. When a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, the requested State Party may, at its option, consider this Convention as a legal basis for extradition in respect of the offences set forth in article 2. Extradition shall be subject to the other conditions provided by the law of the requested State.

3. States Parties which do not make extradition conditional on the existence of a treaty shall recognize the offences set forth in article 2 as extraditable offences between themselves, subject to the conditions provided by the law of the requested State.

4. If necessary, the offences set forth in article 2 shall be treated, for the purposes of extradition between States Parties, as if they had been committed not only in the place in which they occurred but also in the territory of the States that have established jurisdiction in accordance with article 6, paragraphs 1 and 2.

5. The provisions of all extradition treaties and arrangements between States Parties with regard to offences set forth in article 2 shall be deemed to be modified as between State Parties to the extent that they are incompatible with this Convention.

Article 10

1. States Parties shall afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 2, including assistance in obtaining evidence at their disposal necessary for the proceedings.

2. States Parties shall carry out their obligations under paragraph 1 of the present article in conformity with any treaties or other arrangements on mutual legal assistance that may exist between them. In the absence of such treaties or arrangements, States Parties shall afford one another assistance in accordance with their domestic law.

Article 11

None of the offences set forth in article 2 shall be regarded, for the purposes of extradition or mutual legal assistance, as a political offence or as an offence connected with a political offence or as an offence inspired by political motives. Accordingly, a request for extradition or for mutual legal assistance based on such an offence may not be refused on the sole ground that it concerns a political offence or an offence connected with a political offence or an offence inspired by political motives.

Article 12

Nothing in this Convention shall be interpreted as imposing an obligation to extradite or to afford mutual legal assistance, if the requested State Party has substantial grounds for believing that the request for extradition for offences set forth in article 2 or for mutual legal assistance with respect to such offences has been made for the purpose of prosecuting or punishing a person on account of that person's race, religion, nationality, ethnic origin or political opinion or that compliance with the request would cause prejudice to that person's position for any of these reasons.

Article 13

1. A person who is being detained or is serving a sentence in the territory of one State Party whose presence in another State Party is requested for purposes of testimony, identification or otherwise providing assistance in obtaining evidence for the investigation or prosecution of offences under this Convention may be transferred if the following conditions are met:

(*a*) The person freely gives his or her informed consent; and

(*b*) The competent authorities of both States agree, subject to such conditions as those States may deem appropriate.

2. For the purposes of the present article:

(*a*) The State to which the person is transferred shall have the authority and obligation to keep the person transferred in custody, unless otherwise requested or authorized by the State from which the person was transferred;

(*b*) The State to which the person is transferred shall without delay implement its obligation to return the person to the custody of the State from which the person was transferred as agreed beforehand, or as otherwise agreed, by the competent authorities of both States;

(*c*) The State to which the person is transferred shall not require the State from which the person was transferred to initiate extradition proceedings for the return of the person;

(*d*) The person transferred shall receive credit for service of the sentence being served in the State from which he was transferred for time spent in the custody of the State to which he was transferred.

3. Unless the State Party from which a person is to be transferred in accordance with the present article so agrees, that person, whatever his or her nationality, shall not be prosecuted or detained or subjected to any other restriction of his or her personal liberty in the territory of the State to which that person is transferred in respect of acts or convictions anterior to his or her departure from the territory of the State from which such person was transferred.

Article 14

Any person who is taken into custody or regarding whom any other measures are taken or proceedings are carried out pursuant to this Convention shall be guaranteed fair treatment, including enjoyment of all rights and guarantees in conformity with the law of the State in the territory of which that person is present and applicable provisions of international law, including international law of human rights.

Article 15

States Parties shall cooperate in the prevention of the offences set forth in article 2, particularly:

(*a*) By taking all practicable measures, including, if necessary, adapting their domestic legislation, to prevent and counter preparations in their respective territories for the commission of those offences within or outside their territories, including measures to prohibit in their territories illegal activities of persons, groups and organizations that encourage, instigate, organize, knowingly finance or engage in the perpetration of offences as set forth in article 2;

(*b*) By exchanging accurate and verified information in accordance with their national law, and coordinating administrative and other measures taken as appropriate to prevent the commission of offences as set forth in article 2;

(*c*) Where appropriate, through research and development regarding methods of detection of explosives and other harmful substances that can cause death or bodily injury, consultations on the development of standards for marking explosives in order to identify their origin in post-blast investigations, exchange of information on preventive measures, cooperation and transfer of technology, equipment and related materials.

Article 16

The State Party where the alleged offender is prosecuted shall, in accordance with its domestic law or applicable procedures, communicate the final outcome of the proceedings to the Secretary-General of the United Nations, who shall transmit the information to the other States Parties.

Article 17

The States Parties shall carry out their obligations under this Convention in a manner consistent with the principles of sovereign equality and territorial integrity of States and that of non-intervention in the domestic affairs of other States.

Article 18

Nothing in this Convention entitles a State Party to undertake in the territory of another State Party the exercise of jurisdiction and performance of functions which are exclusively reserved for the authorities of that other State Party by its domestic law.

Article 19

1. Nothing in this Convention shall affect other rights, obligations and responsibilities of States and individuals under international law, in particular the purposes and principles of the Charter of the United Nations and international humanitarian law.

2. The activities of armed forces during an armed conflict, as those terms are understood under international humanitarian law, which are governed by that law, are not governed by this Convention, and the activities undertaken by military forces of a State in the exercise of their official duties, inasmuch as they are governed by other rules of international law, are not governed by this Convention.

Article 20

1. Any dispute between two or more States Parties concerning the interpretation or application of this Convention which cannot be settled through negotiation within a reasonable time shall, at the request of one of them, be submitted to arbitration. If, within six months from the date of the request for arbitration, the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice, by application, in conformity with the Statute of the Court.

2. Each State may at the time of signature, ratification, acceptance or approval of this Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of the present article. The other States Parties shall not be bound by paragraph 1 with respect to any State Party which has made such a reservation.

3. Any State which has made a reservation in accordance with paragraph 2 of the present article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 21

1. This Convention shall be open for signature by all States from 12 January 1998 until 31 December 1999 at United Nations Headquarters in New York.

2. This Convention is subject to ratification, acceptance or approval. The instruments of ratification, acceptance or approval shall be deposited with the Secretary-General of the United Nations.

3. This Convention shall be open to accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 22

1. This Convention shall enter into force on the thirtieth day following the date of the deposit of the twenty-second instrument of ratification, acceptance, approval or accession with the Secretary-General of the United Nations.

2. For each State ratifying, accepting, approving or acceding to the Convention after the deposit of the twenty-second instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification, acceptance, approval or accession.

Article 23

1. Any State Party may denounce this Convention by written notification to the Secretary-General of the United Nations.

2. Denunciation shall take effect one year following the date on which notification is received by the Secretary-General of the United Nations.

Article 24

. The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention, opened for signature at United Nations Headquarters in New York on 12 January 1998.

52/165. Measures to eliminate international terrorism

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling all its relevant resolutions, including resolution 49/60 of 9 December 1994, by which it adopted the Declaration on Measures to Eliminate International Terrorism, and resolutions 50/53 of 11 December 1995 and 51/210 of 17 December 1996,

Recalling also the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[52]

Deeply disturbed by the persistence of terrorist acts, which have taken place worldwide,

Stressing the need further to strengthen international cooperation between States and between international organizations and agencies, regional organizations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed,

Mindful of the need to enhance the role of the United Nations and the relevant specialized agencies in combating international terrorism, and of the proposals of the Secretary-General to enhance the role of the Organization in this respect,

Recalling that in the Declaration on Measures to Eliminate International Terrorism contained in the annex to resolution 49/60 the General Assembly encouraged States to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there was a comprehensive legal framework covering all aspects of the matter,

Bearing in mind the possibility of considering in the near future the elaboration of a comprehensive convention on international terrorism,

Having examined the report of the Secretary-General,[53]

1. *Strongly condemns* all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed;

2. *Reiterates* that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them;

3. *Reiterates its call* upon all States to adopt further measures in accordance with the relevant provisions of international law, including international standards of human rights, to prevent terrorism and to strengthen international cooperation in combating terrorism and, to that end, to consider, in particular, the implementation of the measures set out in paragraphs 3 (*a*) to (*f*) of its resolution 51/210;

4. *Also reiterates its call* upon all States, with the aim of enhancing the efficient implementation of relevant legal instruments, to intensify, as and where appropriate, the exchange of information on facts related to terrorism and, in so doing, to avoid the dissemination of inaccurate or unverified information;

5. *Further reiterates its call* upon States to refrain from financing, encouraging, providing training for or otherwise supporting terrorist activities;

6. *Urges* all States that have not yet done so to consider, as a matter of priority, becoming parties to relevant conventions and protocols as referred to in paragraph 6 of resolution 51/210, and calls upon all States to enact, as appropriate, domestic legislation necessary to implement the provisions of those conventions and protocols, to ensure that the jurisdiction of their courts enables them to bring to trial the perpetrators of terrorist acts and to cooperate with and provide support and assistance to other States and relevant international and regional organizations to that end;

7. *Reaffirms* the Declaration on Measures to Eliminate International Terrorism contained in the annex to resolution 49/60 and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism contained in the annex to resolution 51/210, and calls upon all States to implement them;

8. *Reaffirms also* the mandate of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996;

9. *Decides* that the Ad Hoc Committee shall meet from 16 to 27 February 1998 to continue its work in accordance with the mandate provided in paragraph 9 of resolution 51/210, and recommends that the work continue during the fifty-third session of the General Assembly from

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[52] See resolution 50/6.

[53] A/52/304 and Corr.1 and Add.1.

28 September to 9 October 1998 within the framework of a working group of the Sixth Committee;

10. *Requests* the Secretary-General to invite the International Atomic Energy Agency to assist the Ad Hoc Committee in its deliberations;

11. *Also requests* the Secretary-General to continue to provide the Ad Hoc Committee with the necessary facilities for the performance of its work;

12. *Requests* the Ad Hoc Committee to report to the General Assembly at its fifty-third session on progress made in accomplishing its mandate;

13. *Recommends* that the Ad Hoc Committee be convened in 1999 to continue its work as referred to in paragraph 9 of resolution 51/210;

14. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Measures to eliminate international terrorism".

72nd plenary meeting
15 December 1997

52/166. Amendment to article 13 of the statute of the United Nations Administrative Tribunal

The General Assembly,

Having considered the note by the Secretary-General dated 17 September 1997 entitled "Amendment to article 13 of the statute of the United Nations Administrative Tribunal",[54]

Noting the proposal of the International Court of Justice referred to in that note that the statute of the Tribunal should be modified to provide for the exercise of its competence in respect of the staff of the Registry of the International Court of Justice,

Recognizing that the competence of the Tribunal in United Nations Joint Staff Pension Fund cases, as approved by the General Assembly in resolution 955 (X) of 3 November 1955, is not reflected in the statute of the Tribunal,

Noting the proposal of the Secretary-General, set out in the note, to amend the statute of the Tribunal by providing that its competence may be extended to international organizations and entities participating in the common system of conditions of service,

Desiring to amend the statute of the Tribunal in accordance with the proposals referred to in the note by the Secretary-General,

Convinced of the desirability of reviewing more generally the provisions of the statute of the Tribunal at an early date,

1. *Decides* to amend article 13 of the statute of the United Nations Administrative Tribunal, with effect from 1 January 1998, as follows:

(*a*) The following new paragraphs shall be added as paragraphs 1, 2 and 4:

> "1. The competence of the Tribunal shall be extended to the staff of the Registry of the International Court of Justice upon the exchange of letters between the President of the Court and the Secretary-General of the United Nations establishing the relevant conditions.
>
> "2. The Tribunal shall be competent to hear and pass judgement upon applications alleging non-observance of the regulations of the United Nations Joint Staff Pension Fund arising out of the decision of the United Nations Joint Staff Pension Board submitted to the Tribunal by:
>
> "(*a*) Any staff member of a member organization of the Pension Fund which has accepted the jurisdiction of the Tribunal in Pension Fund cases who is eligible under article 21 of the regulations of the Fund as a participant in the Fund, even if his employment has ceased, and any person who has acceded to such staff member's rights upon his death;
>
> "(*b*) Any other person who can show that he is entitled to rights under the regulations of the Pension Fund by virtue of the participation in the Fund of a staff member of such member organization.
>
> "4. The competence of the Tribunal may also be extended, with the approval of the General Assembly, to any other international organization or entity established by a treaty and participating in the common system of conditions of service, upon the terms set out in a special agreement between the organization or entity concerned and the Secretary-General of the United Nations. Each such special agreement shall provide that the organization or entity concerned shall be bound by the judgements of the Tribunal and be responsible for the payment of any compensation awarded by the Tribunal in respect of a staff member of that organization or entity and shall include, *inter alia*, provisions concerning its participation in the administrative arrangements for the functioning of the Tribunal and concerning its sharing the expenses of the Tribunal.";

(*b*) The text of former article 13 shall become paragraph 3 of amended article 13;

2. *Also decides* to include in the provisional agenda of its fifty-third session an item entitled "Review of the statute of the Administrative Tribunal of the United Nations".

72nd plenary meeting
15 December 1997

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[54] A/52/142/Add.1.

ANNEX I

ALLOCATION OF AGENDA ITEMS

Plenary meetings

1. Opening of the session by the Chairman of the delegation of Malaysia (item 1).

2. Minute of silent prayer or meditation (item 2).

3. Credentials of representatives to the fifty-second session of the General Assembly (item 3):

    (*a*) Appointment of the members of the Credentials Committee;

    (*b*) Report of the Credentials Committee.

4. Election of the President of the General Assembly (item 4).

5. Election of the officers of the Main Committees (item 5).

6. Election of the Vice-Presidents of the General Assembly (item 6).

7. Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations (item 7).

8. Adoption of the agenda and organization of work: reports of the General Committee (item 8).

9. General debate (item 9).

10. Report of the Secretary-General on the work of the Organization (item 10).

11. Report of the Security Council (item 11).

12. Report of the Economic and Social Council [chapters I, II, III, IV, V (sections A, B, D and H), VI and VII] (item 12).

13. Report of the International Court of Justice (item 13).

14. Report of the International Atomic Energy Agency (item 14).

15. Elections to fill vacancies in principal organs (item 15):

    (*a*) Election of five non-permanent members of the Security Council;

    (*b*) Election of eighteen members of the Economic and Social Council.

16. Elections to fill vacancies in subsidiary organs and other elections (item 16):

    (*a*) Election of twenty-nine members of the Governing Council of the United Nations Environment Programme;

    (*b*) Election of seven members of the Committee for Programme and Coordination;

    (*c*) Election of nineteen members of the United Nations Commission on International Trade Law;

    (*d*) Election of the Executive Director of the United Nations Environment Programme.

17. Appointments to fill vacancies in subsidiary organs and other appointments (item 17):

    (*h*) Appointment of the members of the Consultative Committee on the United Nations Development Fund for Women;

    (*i*) Appointment of members of the Committee on Conferences;

    (*j*) Appointment of a member of the Joint Inspection Unit.

18. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (item 18).

19. Admission of new Members to the United Nations (item 19).

20. Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance (item 20):

    (*a*) Strengthening of the coordination of emergency humanitarian assistance of the United Nations;

    (*b*) Special economic assistance to individual countries or regions;

    (*c*) Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan;

    (*d*) Assistance to the Palestinian people;

    (*e*) Participation of volunteers, "White Helmets", in activities of the United Nations in the field of humanitarian relief, rehabilitation and technical cooperation for development;

    (*f*) Strengthening of international cooperation and coordination of efforts to study, mitigate and minimize the consequences of the Chernobyl disaster.

21. Revitalization of the work of the General Assembly (item 21).

22. Cooperation between the United Nations and the Agency for Cultural and Technical Cooperation (item 22).

23. Multilingualism (item 23).

24. Building a peaceful and better world through sport and the Olympic ideal (item 24).

25. Cooperation between the United Nations and the Latin American Economic System (item 25).

26. University for Peace (item 26).

27. Return or restitution of cultural property to the countries of origin (item 27).

28. Universal Congress on the Panama Canal (item 28).

29. Cooperation between the United Nations and the Inter-Parliamentary Union (item 29).

30. Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba (item 30).

31. Cooperation between the United Nations and the Organization of the Islamic Conference (item 31).

32. Zone of peace and cooperation of the South Atlantic (item 32).

33. Cooperation between the United Nations and the League of Arab States (item 33).

34. Cooperation between the United Nations and the Economic Cooperation Organization (item 34).

35. Elimination of coercive economic measures as a means of political and economic compulsion (item 35).

36. Question of Palestine (item 36).

37. The situation in the Middle East (item 37).

38. Support by the United Nations system of the efforts of Governments to promote and consolidate new or restored democracies (item 38).

39. Oceans and the law of the sea (item 39):

    (*a*) Law of the sea;

(*b*) Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks;

(*c*) Large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and fisheries by-catch and discards.

40. Cooperation between the United Nations and the Organization for Security and Cooperation in Europe (item 40).

41. Assistance in mine clearance (item 41).

42. Cooperation between the United Nations and the Organization of African Unity (item 42).

43. The situation in Afghanistan and its implications for international peace and security (item 43).

44. The situation of democracy and human rights in Haiti (item 44).

45. The situation in Central America: procedures for the establishment of a firm and lasting peace and progress in fashioning a region of peace, freedom, democracy and development (item 45).

46. Implementation of the outcome of the World Summit for Social Development (item 46).

47. The situation in Bosnia and Herzegovina (item 47).

48. Question of the Falkland Islands (Malvinas) (item 48).

49. Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (item 49).

50. Report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (item 50).

51. Declaration of the Assembly of Heads of State and Government of the Organization of African Unity on the aerial and naval military attack against the Socialist People's Libyan Arab Jamahiriya by the present United States Administration in April 1986 (item 51).

52. Armed Israeli aggression against the Iraqi nuclear installations and its grave consequences for the established international system concerning the peaceful uses of nuclear energy, the non-proliferation of nuclear weapons and international peace and security (item 52).

53. Consequences of the Iraqi occupation of and aggression against Kuwait (item 53).

54. Implementation of the resolutions of the United Nations (item 54).

55. Question of the Comorian island of Mayotte (item 55).

56. Launching of global negotiations on international economic cooperation for development (item 56).

57. The situation in Burundi (item 57).

58. Restructuring and revitalization of the United Nations in the economic, social and related fields (item 58).

59. Question of equitable representation on and increase in the membership of the Security Council and related matters (item 59).

60. Strengthening of the United Nations system (item 60).

61. Towards a culture of peace (item 156).

62. United Nations reform: measures and proposals (item 157).

63. Observer status for the Andean Community in the General Assembly (item 158).

First Committee

(DISARMAMENT AND INTERNATIONAL SECURITY COMMITTEE)

1. Compliance with arms limitation and disarmament obligations (item 62).
2. Verification in all its aspects, including the role of the United Nations in the field of verification (item 63).
3. Comprehensive Nuclear-Test-Ban Treaty (item 64).
4. Reduction of military budgets (item 65):
    (*a*) Reduction of military budgets;
    (*b*) Objective information on military matters, including transparency of military expenditures.
5. The role of science and technology in the context of international security and disarmament (item 66).
6. Establishment of a nuclear-weapon-free zone in the region of the Middle East (item 67).
7. Establishment of a nuclear-weapon-free zone in South Asia (item 68).
8. Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons (item 69).
9. Prevention of an arms race in outer space (item 70).
10. General and complete disarmament (item 71):
    (*a*) Notification of nuclear tests;
    (*b*) Small arms;
    (*c*) Transparency in armaments;
    (*d*) Nuclear-weapon-free southern hemisphere and adjacent areas;
    (*e*) Convening of the fourth special session of the General Assembly devoted to disarmament: report of the Preparatory Committee for the Fourth Special Session of the General Assembly Devoted to Disarmament;
    (*f*) Relationship between disarmament and development;
    (*g*) Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control;
    (*h*) Measures to curb the illicit transfer and use of conventional arms;
    (*i*) Prohibition of the dumping of radioactive wastes;
    (*j*) Regional disarmament;
    (*k*) Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*;
    (*l*) Consolidation of peace through practical disarmament measures;
    (*m*) Nuclear disarmament;
    (*n*) Conventional arms control at the regional and subregional levels;

- (*o*) Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction;
- (*p*) Non-proliferation of weapons of mass destruction and of vehicles for their delivery in all its aspects.

11. Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly (item 72):
    - (*a*) United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific;
    - (*b*) Regional confidence-building measures;
    - (*c*) Convention on the Prohibition of the Use of Nuclear Weapons.
12. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session (item 73):
    - (*a*) Report of the Disarmament Commission;
    - (*b*) Report of the Conference on Disarmament;
    - (*c*) Advisory Board on Disarmament Matters;
    - (*d*) United Nations Institute for Disarmament Research.
13. The risk of nuclear proliferation in the Middle East (item 74).
14. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (item 75).
15. Strengthening of security and cooperation in the Mediterranean region (item 76).
16. Implementation of the Declaration of the Indian Ocean as a Zone of Peace (item 77).
17. Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) (item 78).
18. African Nuclear-Weapon-Free Zone Treaty (item 79).
19. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (item 80).
20. Maintenance of international security (item 81).
21. Review of the implementation of the Declaration on the Strengthening of International Security (item 82).
22. Rationalization of the work and reform of the agenda of the First Committee (item 83).

Special Political and Decolonization Committee
(Fourth Committee)

1. Effects of atomic radiation (item 84).
2. International cooperation in the peaceful uses of outer space (item 85).
3. United Nations Relief and Works Agency for Palestine Refugees in the Near East (item 86).
4. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (item 87).
5. Comprehensive review of the whole question of peacekeeping operations in all their aspects (item 88).
6. Questions relating to information (item 89).

7. Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (item 90).

8. Activities of foreign economic and other interests which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination (item 91).

9. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (item 92).

10. Report of the Economic and Social Council [chapter V (section E)] (item 12).

11. Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (item 93).

12. The situation in the occupied territories of Croatia (item 94).

13. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (item 18).

14. Question of the Falkland Islands (Malvinas) (item 48).

Second Committee

(ECONOMIC AND FINANCIAL COMMITTEE)

1. Report of the Economic and Social Council [chapters I, II, III, IV, V (sections A to C and F to J) and VII] (item 12).

2. Macroeconomic policy questions (item 95):

    (*a*) Financing of development, including net transfer of resources between developing and developed countries;

    (*b*) Trade and development;

    (*c*) Science and technology for development;

    (*d*) External debt crisis and development.

3. Sectoral policy questions (item 96):

    (*a*) Industrial development cooperation;

    (*b*) Business and development;

    (*c*) Food and sustainable agricultural development.

4. Sustainable development and international economic cooperation (item 97):

    (*a*) Renewal of the dialogue on strengthening international economic cooperation for development through partnership;

    (*b*) Implementation of the Programme of Action for the Least Developed Countries for the 1990s;

    (*c*) Population and development;

    (*d*) International migration and development, including the convening of a United Nations conference on international migration and development;

    (*e*) Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II);

    (*f*) First United Nations Decade for the Eradication of Poverty;

    (*g*) Women in development;

   (*h*) Human resources development;

   (*i*) Cultural development.

5. Environment and sustainable development (item 98):

   (*a*) Implementation of decisions and recommendations of the United Nations Conference on Environment and Development;

   (*b*) Implementation of the United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa;

   (*c*) Protection of global climate for present and future generations of mankind;

   (*d*) International Decade for Natural Disaster Reduction;

   (*e*) Convention on Biological Diversity;

   (*f*) Implementation of the outcome of the Global Conference on the Sustainable Development of Small Island Developing States;

   (*g*) Special session for the purpose of an overall review and appraisal of the implementation of Agenda 21.

6. Operational activities for development (item 99):

   (*a*) Operational activities for development of the United Nations system;

   (*b*) Economic and technical cooperation among developing countries.

7. Training and research: United Nations Institute for Training and Research (item 100).

8. Permanent sovereignty of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources (item 101).

Third Committee

(SOCIAL, HUMANITARIAN AND CULTURAL COMMITTEE)

1. Report of the Economic and Social Council [chapters I, IV, V (sections A to C and H) and VII] (item 12).

2. Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (item 102).

3. Crime prevention and criminal justice (item 103).

4. International drug control (item 104).

5. Advancement of women (item 105).

6. Implementation of the outcome of the Fourth World Conference on Women (item 106).

7. Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (item 107).

8. Promotion and protection of the rights of children (item 108).

9. Programme of activities of the International Decade of the World's Indigenous People (item 109).

10. Elimination of racism and racial discrimination (item 110).

11. Right of peoples to self-determination (item 111).

12. Human rights questions (item 112):
    (*a*) Implementation of human rights instruments;
    (*b*) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms;
    (*c*) Human rights situations and reports of special rapporteurs and representatives;
    (*d*) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action;
    (*e*) Report of the United Nations High Commissioner for Human Rights.

Fifth Committee

(ADMINISTRATIVE AND BUDGETARY COMMITTEE)

1. Financial reports and audited financial statements, and reports of the Board of Auditors (item 113):
    (*a*) United Nations peacekeeping operations;
    (*b*) United Nations Institute for Training and Research;
    (*c*) Voluntary funds administered by the United Nations High Commissioner for Refugees.
2. Review of the efficiency of the administrative and financial functioning of the United Nations (item 114).
3. Programme budget for the biennium 1996-1997 (item 115).
4. Proposed programme budget for the biennium 1998-1999 (item 116).
5. Improving the financial situation of the United Nations (item 117).
6. Joint Inspection Unit (item 118).
7. Pattern of conferences (item 119).
8. Scale of assessments for the apportionment of the expenses of the United Nations (item 120).
9. United Nations common system (item 121).
10. Financing of the United Nations peacekeeping forces in the Middle East (item 122):
    (*a*) United Nations Disengagement Observer Force;
    (*b*) United Nations Interim Force in Lebanon.
11. Financing of the United Nations Angola Verification Mission (item 123).
12. Financing of the activities arising from Security Council resolution 687 (1991) (item 124):
    (*a*) United Nations Iraq-Kuwait Observation Mission;
    (*b*) Other activities.
13. Financing of the United Nations Mission for the Referendum in Western Sahara (item 125).
14. Financing and liquidation of the United Nations Transitional Authority in Cambodia (item 126).
15. Financing of the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters (item 127).
16. Financing of the United Nations Operation in Somalia II (item 128).

17. Financing of the United Nations Operation in Mozambique (item 129).

18. Financing of the United Nations Peacekeeping Force in Cyprus (item 130).

19. Financing of the United Nations Observer Mission in Georgia (item 131).

20. Financing of the United Nations Mission in Haiti (item 132).

21. Financing of the United Nations Observer Mission in Liberia (item 133).

22. Financing of the United Nations Assistance Mission for Rwanda (item 134).

23. Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (item 135).

24. Financing of the United Nations Mission of Observers in Tajikistan (item 136).

25. Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (item 137).

26. Financing of the United Nations Mission in Bosnia and Herzegovina (item 138).

27. Financing of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (item 139).

28. Financing of the United Nations Preventive Deployment Force (item 140).

29. Financing of the United Nations Support Mission in Haiti (item 141).

30. Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (item 142):

    (*a*) Financing of the United Nations peacekeeping operations;

    (*b*) Relocation of Ukraine to the group of Member States set out in paragraph 3 (*c*) of General Assembly resolution 43/232.

31. Report of the Secretary-General on the activities of the Office of Internal Oversight Services (item 143).

32. Human resources management (item 153).

33. Financing of the Military Observer Group of the United Nations Verification Mission in Guatemala (item 154).

34. Report of the Economic and Social Council [chapters I, V (section B) and VII] (item 12).

35. Appointments to fill vacancies in subsidiary organs and other appointments (item 17):

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    (*e*) Appointment of members of the United Nations Administrative Tribunal;

    (*f*) Appointment of members of the International Civil Service Commission;

    (*g*) Appointment of members and alternate members of the United Nations Staff Pension Committee.

36. Financing of the United Nations Observer Mission in Angola (item 159).

37. Admission of the International Seabed Authority to membership in the United Nations Joint Staff Pension Fund (item 160).

Sixth Committee

(LEGAL COMMITTEE)

1. Convention on jurisdictional immunities of States and their property (item 144).

2. United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law (item 145).

3. United Nations Decade of International Law (item 146):

   (*a*) United Nations Decade of International Law;

   (*b*) Action to be taken in 1999 dedicated to the centennial of the first International Peace Conference and to the closing of the United Nations Decade of International Law;

   (*c*) Draft guiding principles for international negotiations.

4. Report of the International Law Commission on the work of its forty-ninth session (item 147).

5. Report of the United Nations Commission on International Trade Law on the work of its thirtieth session (item 148).

6. Report of the Committee on Relations with the Host Country (item 149).

7. Establishment of an international criminal court (item 150).

8. Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (item 151).

9. Measures to eliminate international terrorism (item 152).

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